MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF SEPTEMBER 26, 2008

(Published October 4, 2008, in Finance and Commerce)

Council Chamber

350 South 5th Street

Minneapolis, Minnesota

September 26, 2008 - 9:30 a.m.

Council President Johnson in the Chair.

Present - Council Members Colvin Roy, Remington, Benson, Goodman, Hodges, Samuels, Gordon, Hofstede, Ostrow, Schiff, Lilligren, President Johnson.

Absent - Council Member Glidden.

Lilligren moved adoption of the agenda. Seconded.

Schiff moved to amend the agenda to include a motion introducing the subject matter of an ordinance amending Title 21 of the Minneapolis Code of Ordinances relating to Interim Ordinances by adding a new Chapter 587. Seconded.

Adopted upon a voice vote.

The agenda, as amended, was adopted upon a voice vote 9/26/2008.

Absent - Glidden.

Lilligren moved acceptance of the minutes of the regular meeting and the adjourned session of September 12, 2008. Seconded.

Adopted upon a voice vote 9/26/2008.

Absent - Glidden.

Lilligren moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote 9/26/2008.

Absent - Glidden.

PETITIONS AND COMMUNICATIONS

COMMITTEE OF THE WHOLE (See Rep):

COMMUNICATIONS (273019)

2008 Minneapolis Resident Survey Report.

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (273020)

Final Report of NRP Work Group and recommendations for the formation of a new city department and advisory board.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (273021)

Fairview Health Services: Authorizing execution of documents related to amendments to Resolution 2008R-110 re issuance of bonds.

2008 Transit-Oriented Development Program Grant Awards: Authorize Cooperative Agreements with Hennepin County & Hennepin County Housing & Redevelopment Authority.

2007 Affordable Housing Trust Fund: Approve revision to Alliance Housing's scattered site rehab, removing 1844 E 26th St & replace with 3037 Oakland Ave.

Tax Forfeited Land: Classification of properties, conveyance of Hennepin County tax-forfeited property to the City; authorizing the City to purchase certain parcels & register title on parcels.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (273022)

Land Sale (2535-16th Ave S): Sale to Greater Metropolitan Housing Corporation.

2008 Single-Family Housing Program: Approval.

Plymouth Christian Youth Center (re Capri Theater, 2029, 2033, 2101 W Broadway): Preliminary & final approval to issue bonds for theater project.

Community Action of MpIs (re MN African American Museum & Cultural Center, 1700 3rd Ave S): Preliminary & final approval to issue bonds for museum project.

Home Ownership Works Program: Approve change to real estate agency broker compensation. GRANTS AND SPECIAL PROJECTS (273023)

2007 Consolidated Annual Performance & Evaluation Report.

COMMUNITY DEVELOPMENT and HEALTH, ENERGY & ENVIRONMENT:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (273024) Living Wage/Job Linkage Report.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (273025)

Ash Institute for Democratic Governance & Innovation: Accept & appropriate grant award for the Corridor Housing Strategy.

HEALTH AND HUMAN SERVICES:

HEALTH AND FAMILY SUPPORT SERVICES (273026)

Multicultural Health Storytelling Project: Presentation/DVD.

INTERGOVERNMENTAL RELATIONS:

INTERGOVERNMENTAL RELATIONS (273027)

2009 City of Mpls Legislative Agenda: Proposed schedule; review of 2008 agenda.

PUBLIC SAFETY AND REGULATORY SERVICES:

MAYOR (273028)

Republican National Convention: Follow-up plan.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

LICENSES AND CONSUMER SERVICES (273029)

Class A Valet (PO Box 50377, Minneapolis): Grant Valet License, with conditions.

International Ballroom (3003 27th Av S): Grant Rental Hall License, with conditions.

Licenses: Applications.

REGULATORY SERVICES (273030)

Rental Dwelling Licensing: Ordinance providing a formula for annual increases in the rental dwelling license fee

Chapter 249 Property at 2733 Penn Av N: Uphold Director's Order to demolish property.

Rental Dwelling License at 1734 Como Av SE: Revoke license held by David Marks.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):

POLICE DEPARTMENT (273031)

Presidential Inauguration Task Force: Execute Memorandum of Understanding with United States Attorney for the District of Columbia and Metropolitan Police Department of Washington, D.C. for Police Department personnel to participate on 2009 Task Force.

Police Independent Consulting Assistance: Execute grant agreement with Fox Valley Technical College to provide independent consulting assistance regarding Indian Crime Awareness, Research and Evaluation Project.

Security Services at Metrodome: Execute agreement with Metropolitan Sports Facilities Commission to reimburse Public Works and Police Departments for providing security and perimeter management services during 2007 Viking football season.

2007 Homeland Security Grant Program: Accept \$75,000 and execute grant agreement with Minnesota Homeland Security and Emergency Management for use by Police Bomb Disposal Unit.

Police Promotional Testing: Issue Request for Proposals for contractors to perform testing for Sergeant and Lieutenants for Police Department.

PURCHASING (273032)

Bid for Weed Cutting - South District: Rescind action to award bid to Over the Top; and Accept lowest responsive bid of Emerge for services through May 29, 2009.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (273033)

Minneapolis-Joint Water Commission Governance Task Force: Final Report.

Minneapolis Pedestrian Master Plan: Status Update.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (273034)

Water and Sewer Service Line Repairs or Replacements: Assessment public hearing; Comments. Shingle Creek Watershed Management Commission: Appointment of Jeffrey Johnson.

Traffic Calming Project: Install speed humps on 11th Ave S between Lake St E and 31st St E.

Heritage Park Redevelopment Project: Reserve remaining 121 Service Availability Charge (SAC) units.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (273035)

Marquette Ave & 2nd Ave Transit Projects: a) Increase appropriation; and b) Hold Harmless agreement with State.

Bids: a) OP 7004, Cy-Con, Inc. for reinforcement at Hilton Ramp; b) OP 7014, Schad Tracy Signs, Inc. for internal illumination signs at Haaf and Government Center Ramps; and c) OP 7016, Twell Environmental, Inc. for hazardous materials abatement at Hiawatha Maintenance Facility.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (273036)

Legal Settlement: Nicole and Tyra Chivers v. City of Minneapolis, subrogation claim of Allstate Insurance Company.

Courier Services: Amend current contract with You've Been Served.

Online Legal Research Services: Issue RFP.

Reimbursement of Legal Fees: Officers Dante Dean, Brian Grahme, Shawn Kelly, Oscar Macias, Terry Nutter and Derek Chauvin.

COORDINATOR (273037)

2008 Charitable Campaign: Approve eight federations to participate.

FINANCE DEPARTMENT (273038)

Minneapolis Police Relief Association: Reappointment of LeaAnn M. Stagg and Rebecca Law.

Meter Coin Armored Car Services: Execute contract.

HUMAN RESOURCES (273039)

Job Bank Ordinance: Ordinance amending Title 2, Chapter 20, Article XI, Section 20.900, to extend the COBRA health and dental benefits expiration dates.

Family Medical Leave Act (FMLA): Revised Policy and Procedures.

Teamsters, Local 320, Convention Center Unit: Labor agreement.

Minneapolis Professional Employees Association: Labor agreement.

AFSCME, Local 9, Attorneys Unit: Labor agreement.

City of Minneapolis Medical, HRA/VEBA, and Dental Plan: Approve changes.

ZONING AND PLANNING (See Rep):

INSPECTIONS/BOARD OF ADJUSTMENT (273040)

Appeal: Ayla Reed, 813 Kenwood Parkway, of variance applications.

PLANNING COMMISSION/DEPARTMENT (273041)

Rezoning:

Open Arms of Minnesota (1511 25th St E, 2500, 2504, 2508, 2510, 2514, 2518, and 2520 Bloomington)

The following reports were signed by Mayor Rybak on October 1, 2008, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The COMMITTEE OF THE WHOLE submitted the following reports:

Comm of the Whole - Your Committee, having under consideration the final report of the NRP Work Group to the City Council Committee of the Whole, *Framework for the Future: Options for the focus, funding and governance of NRP Program and Action Plan activities after 2009*, now recommends that the report be amended by deleting each reference to "Administrative Support Allocations" and replacing the same with "basic Citizen Participation Services."

Your Committee further sends forward without recommendation the following proposed actions:

- a) Authorize the creation of the Neighborhood and Community Relations Department within the City Coordinator's office with discretion exercised by the City Coordinator and his designee to bring forth further Council actions as necessary; and
- b) Passage of the accompanying resolution to establish the Neighborhood and Community Advisory Board.

Lilligren moved to amend the report by deleting the language "sends forward without recommendation" and inserting in lieu thereof, "recommends approval of" and by moving a substitute resolution.

Gordon moved to divide the report so as to consider separately that portion relating to passage of the resolution to establish the Neighborhood and Community Advisory Board. Seconded.

Adopted by unanimous consent.

Lilligren moved adoption of the balance of the report. Seconded.

Adopted 9/26/2008. Yeas, 11; Nays, 1 as follows:

Yeas - Remington, Benson, Goodman, Hodges, Samuels, Gordon, Hofstede, Ostrow, Schiff, Lilligren, Johnson.

Nays - Colvin Roy.

Absent - Glidden.

Comm of the Whole - Your Committee recommends passage of the accompanying resolution to establish the Neighborhood and Community Advisory Board, as substituted.

Colvin Roy moved to amend the "Resolved" paragraph by adding new language to Section "1. Purpose" to read as follows:

"Hire, with final approval by the City Council, evaluate and terminate the Director of the next phase of the Neighborhood Revitalization Program." Seconded.

Lost. Yeas, 4; Nays, 8 as follows:

Yeas - Colvin Roy, Gordon, Hofstede, Schiff.

Nays - Remington, Benson, Goodman, Hodges, Samuels, Ostrow, Lilligren, Johnson.

Absent - Glidden.

Gordon moved to amend the "Resolved" paragraph by adding new language to Section "1. Purpose" to read as follows:

"Develop procedures for reviewing, and make recommendations to the City Council on, those organizations seeking official city recognition, and provide general support to and oversight of those officially recognized community and neighborhood organizations; and

- Develop procedures for determining, and make recommendations to the City Council on the determination of boundaries and boundary changes of officially recognized neighborhood organizations; and
- Develop procedures for and hear grievances and complaints against officially recognized neighborhood groups or organizations." Seconded.

Lilligren moved a substitute motion to direct staff to draft procedures for: 1) neighborhood organizations to seek "official city recognition" as it relates to citizen participation and the Neighborhood Revitalization Program; 2) determining boundaries and boundary changes of neighborhoods of the City of Minneapolis; and 3) hearing grievances and complaints against officially recognized neighborhood organizations. Staff should consult with the newly established Neighborhood and Community Engagement Commission prior to returning to the Committee of the Whole with proposed procedures. Seconded.

Adopted. Yeas, 8; Nays, 3 as follows:

Yeas - Remington, Goodman, Hodges, Samuels, Hofstede, Ostrow, Lilligren, Johnson.

Nays - Colvin Roy, Gordon, Schiff.

Absent - Glidden, Benson.

Lilligren's motion was adopted. Yeas, 10; Nays, 2 as follows:

Yeas - Remington, Benson, Goodman, Hodges, Samuels, Hofstede, Ostrow, Schiff, Lilligren, Johnson.

Nays - Colvin Roy, Gordon.

Absent - Glidden.

Gordon moved to amend the "Resolved" paragraph by adding new language to read as follows:

"15. Meetings of the Commission will be open to the public, televised, and subject to the requirements of the Minnesota Open Meeting Law." Seconded.

Hodges moved to amend Gordon's motion by adding the language, "when possible" following "Minnesota Open Meeting Law." Seconded.

Adopted upon a voice vote.

Absent - Glidden.

Gordon's motion, as amended, was adopted.

Absent - Glidden.

Hodges moved to amend the "Resolved" paragraph by replacing language in Section "8 (d)" to read as follows:

"Jurisdictions which do not choose to participate in the program financially will be given, at their request, a non-voting seat. If other jurisdictions of state and local government choose not to participate in the program financially they will be given, at their request, the opportunity to appoint a non-voting member of the Commission." Seconded.

Adopted.

Absent - Glidden.

Schiff moved to amend the "Resolved" paragraph by adding new language to the Section "1. Purpose" to read as follows:

"Nominate, for City Council approval, the director of the next phase of the Neighborhood Revitalization Program." Seconded.

Schiff moved a substitute motion to amend the "Resolved" paragraph by adding new language to the "1. Purpose" section to read as follows:

"Nominate under the process outlined under section F of the Framework for the Future report, the director of the next phase of the Neighborhood Revitalization Program for approval by the City Council." Seconded.

Goodman moved to call the question on Schiff's substitute motion. Seconded.

Adopted upon a voice vote.

Absent - Glidden.

Schiff's substitute motion lost. Yeas, 5; Nays, 7 as follows:

Yeas - Colvin Roy, Benson, Gordon, Hofstede, Schiff.

Nays - Remington, Goodman, Hodges, Samuels, Ostrow, Lilligren, Johnson.

Absent - Glidden.

President Johnson declared Schiff's motion withdrawn, per his request.

Lilligren moved to direct staff to outline a procedure by which other jurisdictions can participate on the Neighborhood and Community Engagement Commission with voting members. Staff should return to the Committee of the Whole by January 2009 with proposed procedures. Seconded.

Adopted upon a voice vote.

Absent - Glidden.

Hofstede moved to amend the "Resolved" paragraph by adding new language to Section "8. Selection Procedure" at the end of subsection "g" to read as follows:

"In addition, NRP shall be governed as required by statute by the NRP Policy Board for the term of the Joint Powers Agreement that expires in 2011." Seconded.

Goodman moved to call the question. Seconded.

Adopted upon a voice vote.

Absent - Glidden.

Hofstede's motion lost. Yeas, 2; Nays, 10 as follows:

Yeas - Gordon, Hofstede.

Nays - Colvin Roy, Remington, Benson, Goodman, Hodges, Samuels, Ostrow, Schiff, Lilligren, Johnson.

Absent - Glidden.

The report, as amended, was adopted 9/26/2008.

Yeas, 11; Nays, 1 as follows:

Yeas - Remington, Benson, Goodman, Hodges, Samuels, Gordon, Hofstede, Ostrow, Schiff, Lilligren, Johnson.

Nays - Colvin Roy.

Absent - Glidden.

Resolution 2008R-402, establishing a Neighborhood and Community Engagement Commission, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-402 By Lilligren, Johnson, Ostrow and Hodges

Establishing a Neighborhood and Community Engagement Commission.

Whereas, the City of Minneapolis benefits from the involvement of its residents; and

Whereas, neighborhood organizations' capacity to organize at the neighborhood level is a basic city service for the City of Minneapolis; and

Whereas, the Mayor and City Council of the City of Minneapolis are committed to maintaining and improving the relationship between residents and the City; and

Whereas, the City of Minneapolis and neighborhood organizations have long partnered to make the City a better place to live, work, learn and play; and

Whereas, since its creation in 1990, the Minneapolis Neighborhood Revitalization Program has been an innovative effort to bring residents into the priority-setting process of their city; and

Whereas, as further described in that certain Framework for the Future Final Report of the NRP Work Group, which was presented to the City Council Committee of the Whole on July 24, 2008, the City of Minneapolis intends to continue key components of the Minneapolis Neighborhood Revitalization Program beyond 2009 by providing new funding to neighborhood organizations in the form of:

- i) "Basic Citizen Participation Services funds" to grant base financial support to qualifying neighborhood organizations to provide basic outreach, communication and coordination support for the neighborhood;
- ii) a "Neighborhood Investment Fund" to help address neighborhood-identified priorities as defined in neighborhood plans; and
- iii) a "Community Innovation Fund" to provide grants to officially designated neighborhood organizations to seek out innovative and locally-relevant approaches to City-identified goals or problems; and

Whereas, the City of Minneapolis will provide an organizational structure to manage and oversee the above-referenced program and the City's other community participation activities through the creation of a new City department and a resident-controlled commission; and

Whereas, one of the first duties of the resident-controlled commission will be to assist with the search and screening process for the director of the new City department;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis hereby creates the Neighborhood and Community Engagement Commission with the following details:

1. Purpose:

- a. Provide overall direction to the next phase of the Neighborhood Revitalization Program and be primarily responsible for the review of neighborhood plans and recommended approval to the City Council:
- b. Make recommendations on, and monitor the distribution and use of the basic Citizen Participation Services funds, which will replace funding through the City's Citizen Participation Program;
- c. Make recommendations on the criteria, formula, distribution and use of the Neighborhood Investment Fund and monitor its distribution and use:

- d. Recommend awards of grants through the Community Innovation Fund;
- e. Advise the Mayor and City Council on development or improvement of community participation policies, delivery of services and decision-making processes to systematize community input into City processes;
- f. Provide feedback to City departments regarding community participation and the City's adopted Community Engagement Principles and make recommendations for improvements to City departments and the City Council as appropriate; and
- g. Advise the Mayor, City Council and City departments on community issues and needs related to community participation and the City's community participation system; and
- h. Review, advise and make recommendations on the business plan and the budget for the City's Neighborhood and Community Relations Department; and,
- i. Actively assist in short and long-term planning, development and implementation of the City's community engagement system, including possible implementation of the 2007 Community Engagement Task Force recommendations; and
- j. Continuously evaluate its work and responsibilities to evolve with the needs of Minneapolis communities.
- 2. Number of Members: 16 voting members
- 3. Term Length: 24 months (staggered)
- 4. Term Limits: Three (3) two-year terms
- Compensation: None (re-imbursement for parking during meetings, childcare may be provided)
- 6. Public Hearings held for City of Minneapolis open appointments process: Yes
- **7. Minneapolis Residency Requirement:** Yes; members shall be residents of the City of Minneapolis who do not hold a current election certificate.
- 8. Selection Procedure:
 - a. 8 members selected by the City's officially recognized neighborhood organizations through a process defined by the officially recognized neighborhood organizations
 - b. 7 members appointed using the City's open appointments process and a public hearing
 - i. 5 members appointed by the City Council of the City of Minneapolis; and
 - ii. 2 members appointed by the Mayor of the City of Minneapolis;
 - iii. Recommendations shall be solicited for nominations from Hennepin County and the Minneapolis School Board
 - c. 1 member appointed by the Minneapolis Park and Recreation Board
 - d. If other jurisdictions of state and local government choose not to participate in the program financially they will be given, at their request, the opportunity to appoint a non-voting member of the Commission.
 - e. Appointments should reflect the diverse interests and perspectives of the Minneapolis community. The recruitment process should be designed to ensure diversity of representation and ideas and take into consideration the City's commitment to civil rights, affirmative action and geographic distribution wherever possible.
 - f. Members shall be residents of the City of Minneapolis who do not hold a current election certificate.
 - g. First 8 members appointed by Mayor, City Council of the City of Minneapolis, and the Minneapolis Park and Recreation Board shall all be appointed no later than January 31, 2009.
 - h. To establish staggered terms:
 - i. 1 Mayoral appointment, 2 City Council appointments, 1 Minneapolis Park and Recreation Board appointment, and 4 members selected by neighborhood organizations of the original membership shall have a two (2) year term; and
 - ii. 1 Mayoral appointment, 3 City Council appointments, and 4 members selected by neighborhood organizations of the original membership shall have a three (3) year term.
 - i. Beginning in 2011 the succeeding membership shall be appointed annually as follows:
 - i. Odd years—1 Mayoral appointment, 2 City Council appointments, 1 Minneapolis Park and Recreation Board appointment, and 4 members selected by neighborhood organizations; and

- ii. Even years—1 Mayoral appointment, 3 City Council appointments, and 4 members selected by neighborhood organizations.
- **9. Selection of officers:** Chair and any other officers shall be selected by the 16 commission members.
- 10. Meeting Schedule: Monthly meeting; may meet more frequently as needed
- **11. Attendance Requirements:** Three (3) unexcused absences from regular meetings during a calendar year may result in termination of membership.
- **12. Department:** Convened, facilitated and staffed initially by the City Coordinator's office and, upon creation of the Neighborhood and Community Relations department, by the department.
- **13. Reporting:** Periodic reports, at a minimum annually, shall be submitted to the Committee of the Whole.
- **14. Sunset**: No sunset provision is established for this commission.
- 15. Meetings of the Commission will be open to the public, televised, and subject to the requirements of the Minnesota Open Meeting Law when possible.

Adopted 9/26/2008. Yeas, 11; Nays, 1 as follows:

Yeas - Remington, Benson, Goodman, Hodges, Samuels, Gordon, Hofstede, Ostrow, Schiff, Lilligren, Johnson.

Nays - Colvin Roy.

Absent - Glidden.

The COMMUNITY DEVELOPMENT Committee submitted the following reports:

Comm Dev - Your Committee recommends that the proper City officers be authorized to submit the 2007 Consolidated Annual Performance and Evaluation Report to the U.S. Department of Housing and Urban Development.

Adopted 9/26/2008.

Absent - Glidden.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 2535 - 16th Ave S to the Greater Metropolitan Housing Corporation for \$45,000, subject to the following conditions:

- a) Land sale closing must occur on or before 30 days from date of City Council approval; and
- b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 9/26/2008.

Absent - Glidden.

Resolution 2008R-403, authorizing sale of land GMHC Century Homes Program Disposition Parcel No GC-289 at 2535 - 16th Ave S, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-403 By Goodman

Authorizing sale of land GMHC Century Homes Program Disposition Parcel No GC-289 at 2535 - 16th Avenue South.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel GC-289, in the East Phillips neighborhood, from Greater Metropolitan

Housing Corporation, hereinafter known as the Redeveloper, the Parcel GC-289, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of GC-289; 2535 16th Avenue South: Lot 9, Block 6, Gilpatricks Addition to Minneapolis. Being Registered Land as evidenced by Certificate of Title No. 1220009; and

Whereas, the Redeveloper has offered to pay the sum of \$45,000, for Parcel GC-289 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the reuse value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on September 5, 2008, a public hearing on the proposed sale was duly held on September 16, 2008, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota:

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the GMHC Century Homes Program plan, as amended, is hereby estimated to be the sum of \$45,000 for Parcel GC-289.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 30 days from the date of approval.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the CPED Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 9/26/2008.

Absent - Glidden.

Comm Dev – Your Committee, having under consideration the Single-Family Housing Program which permits the creation of new mortgage programs and allows the recycling of funds from older mortgage programs, now recommends passage of the accompanying resolution approving a Single-Family Housing Finance Program to be financed by the issuance of Single Family Mortgage Revenue Bonds.

Adopted 9/26/2008.

Absent - Glidden.

Resolution 2008R-404, approving a Single Family Housing Finance Program to be financed by the issuance of Single Family Mortgage Revenue Bonds, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-404 By Goodman

Approving a Single Family Housing Finance Program to be financed by the issuance of Single Family Mortgage Revenue Bonds.

Whereas, pursuant to the Minnesota Municipal Housing Act, Minnesota Statutes, Chapter 462C (the "Housing Act"), the City of Minneapolis, Minnesota (the "City") is authorized to carry out programs for the financing of single family housing for persons of low and moderate income; and

Whereas, the Minneapolis/Saint Paul Housing Finance Board (the "Board"), a joint powers board organized under a Joint Powers Agreement (the "Joint Powers Agreement") originally dated as of December 1, 1984, and as subsequently amended, by and between the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota (the "Authority"), the City and accepted by the City of Saint Paul, Minnesota ("Saint Paul"), and under the laws of the State of Minnesota, proposes to undertake a single family housing finance program relating to the Minneapolis and the Saint Paul entitlement allocations and certain taxable bonds and refunding bonds (the "Program"), to be financed by the issuance of one or more series of mortgage revenue obligations and mortgage revenue refunding obligations pursuant to Minnesota Statutes, Sections 469.001 to 469.047, Chapters 462A, 462C and 474A and Section 471.59 (together with applicable predecessor provisions of state law, the "Act"); and

Whereas, pursuant to the Act, the Board is authorized to issue bonds from time to time and to use the proceeds of its bonds to make or purchase mortgage loans or to purchase participations in mortgage loans from lending institutions in order to finance the construction and rehabilitation, and to facilitate the purchase and sale, of single family housing for eligible persons or families under the Act and to issue bonds to refund previously issued bonds; and

Whereas, the Program will provide below market interest rate mortgage loan financing or income tax credits primarily to persons of low or moderate income purchasing single family homes to be used as their principal places of residence and located within the geographic limits of the City or Saint Paul; and

Whereas, the Act requires adoption of the Program after a public hearing held thereon following publication of notice in a newspaper of general circulation in the City and Saint Paul at least fifteen days in advance of the hearing; and

Whereas, the Community Development Committee of the City Council on September 16, 2008 conducted a public hearing on the Program after publication of notice as required by the Act; and

Whereas, the Program was submitted to the Metropolitan Council at or before the time of publication of notice of the public hearing thereon, and the Metropolitan Council was afforded an opportunity to present comments at the public hearing, all as required by the Act; and

Whereas, the Program provides for the issuance of single family mortgage revenue bonds or revenue refunding bonds in one or more series pursuant to the Act (the "Bonds") to make or purchase or cause to be made or purchased mortgage loans, or to purchase securities the proceeds of which would be used to purchase mortgage loans to finance the acquisition, primarily by low and moderate income persons and families, of single family housing located within the geographic boundaries of the City or Saint Paul; and

Whereas, it is proposed that the Program be approved and the Board be authorized to issue Bonds pursuant to the Program and the Joint Powers Agreement; and

Whereas, the Program and the issuance of Bonds by the Board are in the best interests of the City; Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

The Program is hereby approved in its entirety in substantially the form on file with the City. The officers of the City and the Board are authorized to take all actions as may be necessary or appropriate to carry out the Program in accordance with the Act and any other applicable laws and regulations.

Be It Further Resolved that the issuance of the Bonds to finance the Program is hereby finally approved subject to agreement by the Board and the purchasers of the Bonds.

Be It Further Resolved that the Bonds may be issued in one or more series at the time or times and pursuant to terms determined by the Board, and be structured so as to take advantage of whatever means are available and are permitted by law to enhance the security for, or marketability of, the Bonds, provided that any such financing structure must be approved by the Board. All such determinations by the Board must comply with the applicable provisions of the Act and the Internal Revenue Code, of 1986, as amended, and regulations promulgated thereunder.

Be It Further Resolved that the Board is authorized to take all actions which may be necessary or desirable in connection with the issuance of the Bonds, and no further approval or consent of the City shall be required prior to the issuance of the Bonds by the Board, or prior to the taking of any action by the Board to undertake and implement the Program.

Be It Further Resolved that nothing in this Resolution or the documents prepared pursuant hereto shall authorize the expenditure of any municipal funds on the Program other than as specified and authorized by separate actions of the City and other than the revenues derived from the Program or otherwise granted to the City for such purpose. The Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property or funds of the City except the revenues and proceeds pledged to the payment thereof, nor shall the City be subject to any liability thereon. The holders of the Bonds shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal on the Bonds or the interest thereon, or to enforce payment against any property of the City. The Bonds shall recite in substance that the principal and interest thereon are payable solely from the revenues and proceeds pledged to the payment thereof. The Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation of indebtedness.

Be It Further Resolved that any one or more series of Bonds (to the extent authorized by law) may be issued by the City in lieu of issuance by the Board, at the discretion of the City.

Adopted 9/26/2008.

Absent - Glidden.

Comm Dev – Your Committee, having under consideration the issuance of revenue bonds on behalf of the Plymouth Christian Youth Center to finance the acquisition of buildings and land at 2029, 2033 and 2101 W Broadway for incorporation into the existing Capri Theater facility, now recommends passage of the accompanying resolution giving preliminary and final approval to the issuance of up to \$1,500,000 in Tax-exempt 501(c)(3) Bank Qualified Bank Direct Minneapolis Community Development Agency (MCDA) Revenue Bonds, Series 2008, for the Capri Theater project.

Your Committee further recommends that the subject matter be forwarded to the MCDA Board of Commissioners.

Adopted 9/26/2008.

Absent - Glidden.

Resolution 2008R-405, giving preliminary and final approval to and authorizing the financing of a project on behalf of Plymouth Christian Youth Center (Capri Theater project, vicinity of 2029, 2033 and 2101 W Broadway), and authorizing the issuance of a revenue bond of the Minneapolis Community Development Agency therefore, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-405 By Goodman

Giving preliminary and final approval to and authorizing the financing of a project on behalf of Plymouth Christian Youth Center (the "Company"), and authorizing the issuance of a revenue bond of the Minneapolis Community Development Agency therefor.

Whereas, pursuant to Laws of Minnesota 1980, Chapter 595, as amended ("Chapter 595"), the City Council of the City of Minnesota (the "City") established the Minneapolis Community Development Agency (the "Agency") and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue obligations for various purposes; and

Whereas, it has been proposed that the Agency issue a revenue bond in the amount of \$1,500,000 (the "Bond") to finance the acquisition of buildings and land located at 2029 West Broadway, 2033 West Broadway, 2101 West Broadway and 2114 23rd Avenue North in the City, to be used with respect to the Company's programs of education, youth and family development, health and wellness, theater arts and community revitalization; and

Whereas, the Agency expects to give final approval to the issuance of the Bond by a resolution to be adopted on the date hereof; and

Whereas, the Bond shall bear interest at an initial interest rate expected to not exceed 5.50% per annum, shall have a final maturity date not later than December 31, 2013, and shall have such other terms as required or permitted by the Agency's resolution, which terms are to be incorporated herein by reference;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council hereby gives preliminary and final approval to the issuance by the Agency of the Bond in a principal amount of \$1,500,000 for the purpose of financing the acquisition described above.

Be It Further Resolved that the Bond is hereby designated as a "Program Bond" and is determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Adopted 9/26/2008.

Absent - Glidden.

Comm Dev – Your Committee, having under consideration the issuance of revenue bonds on behalf of Community Action of Minneapolis, acting on behalf of the Minnesota African American Museum & Cultural Center, to finance the acquisition and renovation of buildings at 1700 - 3rd Ave S to be used as a museum and cultural center, now recommends passage of the accompanying resolution giving preliminary and final approval to the issuance of up to \$1,500,000 in Tax-exempt 501(c)(3) Bank Qualified Bank Direct Minneapolis Community Development Agency (MCDA) Revenue Bonds, Series 2008, for said project.

Your Committee further recommends that the subject matter be forwarded to the MCDA Board of Commissioners.

Adopted 9/26/2008.

Absent - Glidden.

Resolution 2008R-406, giving preliminary and final approval to and authorizing the financing of a project on behalf of Community Action of Minneapolis, acting on behalf of the Minnesota African American Museum & Cultural Center, 1700 - 3rd Ave S, and authorizing the issuance of a revenue bond of the Minneapolis Community Development Agency therefor, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-406 By Goodman

Giving preliminary and final approval to and authorizing the financing of a project on behalf of Community Action of Minneapolis (the "Company"), and authorizing the issuance of a revenue bond of the Minneapolis Community Development Agency therefor.

Whereas, pursuant to Laws of Minnesota 1980, Chapter 595, as amended ("Chapter 595"), the City Council of the City of Minnesota (the "City") established the Minneapolis Community Development Agency (the "Agency") and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue obligations for various purposes; and

Whereas, it has been proposed that the Agency issue a revenue bond in the amount of \$1,500,000 (the "Bond") to finance the acquisition and renovation of buildings located at 1700 3rd Avenue South in the City, to be used as a museum and cultural center; and

Whereas, the Agency expects to give final approval to the issuance of the Bond by a resolution to be adopted on the date hereof; and

Whereas, the Bond shall bear interest at an initial interest rate expected to not exceed 5.50% per annum, shall have a final maturity date not later than December 31, 2013, and shall have such other terms as required or permitted by the Agency's resolution, which terms are to be incorporated herein by reference:

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council hereby gives preliminary and final approval to the issuance by the Agency of the Bond in a principal amount of \$1,500,000 for the purpose of financing the acquisition and renovation described above.

Be It Further Resolved that the Bond is hereby designated as a "Program Bond" and is determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Adopted 9/26/2008.

Absent - Glidden.

Comm Dev – Your Committee, having under consideration a report from the Department of Community Planning & Economic Development staff recommending an amendment to the Home Ownership Works (HOW) Program to change the Real Estate Agency Broker Compensation from \$3,000 for an independent agent to 2.75% of the sale price, now recommends approval of said amendment.

Adopted 9/26/2008.

Absent - Glidden.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing the execution of documents related to amendments to Resolution 2008R-110 (passed 4/4/2008), authorizing the issuance and sale of revenue bonds of the City on behalf of Fairview Health Services.

Adopted 9/26/2008.

Absent - Glidden.

Approved by Mayor Rybak 9/26/2008.

(Published 9/30/2008)

Resolution 2008R-407, authorizing the issuance and sale of Revenue Bonds of the City on behalf of Fairview Health Services and the execution of documents (relating to amendments to Resolution 2008R-110), was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-407 By Goodman

Authorizing the issuance and sale of Revenue Bonds of the City on behalf of Fairview Health Services and the execution of documents.

Whereas, this Council has previously received a proposal from Fairview Health Services, a Minnesota nonprofit corporation (the "Corporation") that the City of Minneapolis (the "City") issue its revenue bonds (the "Bonds") under Minnesota Statutes, Sections 469.152 to 469.165 (the "Act"), in one or more series, for the purposes of (a) refunding all or a portion of the outstanding Health Care System Revenue Bonds, Series 1997A (Fairview Hospital and Healthcare Services) (the "Series 1997A Bonds"), issued by the Minnesota Agricultural and Economic Development Board (the "Board"); (b) refunding all or a portion of the Health Care System Revenue Refunding Bonds, Series 2004A (Fairview Health Services) (the "Series 2004A Bonds") issued by the City; (c) refunding all or a portion of the outstanding Health Care System Revenue Refunding Bonds, Series 2005A, 2005B and 2005C (Fairview Health Services) (the "Series 2005ABC Bonds") issued by the City; (d) refunding all or a portion of the outstanding Health Care System Revenue Bonds (Fairview Health Services), Series 2005D (the "Series 2005D Bonds") issued by the City; (e) financing a project under the Act consisting of the construction and equipping of improvements to and remodeling of the Corporation's health care facilities located in the City, Burnsville, Red Wing, Hibbing and Wyoming, Minnesota and the acquisition and installation of items of equipment therein (the "Project"); (f) if required in connection with the issuance and sale of the Bonds, funding a deposit to a debt service reserve fund securing a portion of the Bonds; (g) paying a portion of the interest to accrue on the Bonds and any termination payment payable by the Corporation with respect to any interest rate hedge transactions entered into by the Corporation with respect to the Bonds and (h) paying certain costs of issuance of the Bonds; and

Whereas, at a public hearing, duly noticed and held on March 25, 2008, in accordance with the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended, on the proposal to finance the Project and to refund the Series 1997A Bonds, the Series 2004A Bonds, the Series 2005ABC Bonds and the Series 2005D Bonds (collectively the "Refunded Bonds"), all parties who appeared at the hearing were given an opportunity to express their views with respect to the proposal to finance the Project and to refund the Refunded Bonds, and interested persons were given the opportunity to submit written comments to the City Clerk before the time of the hearing; and

Whereas, at a meeting held on April 4, 2008, this Council has previously approved the issuance of up to \$850,000,000 aggregate principal amount of the Bonds in one or more series and subject to certain other parameters described in such resolution, and has authorized and approved the execution by officers of the City of certain documents in connection with the issuance of the Bonds; and

Whereas, the Council desires to amend and restate its approval of the issuance and sale of the Bonds and certain other matters in connection therewith, as hereinafter provided; and

Whereas, this Council hereby finds that the issuance and sale of up to \$850,000,000 aggregate principal amount of the Bonds in one or more series under the authority contained in the Act to finance the Project and to refund the Refunded Bonds would promote the purposes contemplated and described in Section 469.152 of the Act and further promote the public purposes and legislative objectives of the Act by providing the City and surrounding area with necessary healthcare facilities, is in the best interest of the City and the City hereby determines to issue and sell such Bonds; and

Whereas, the proceeds of the Bonds will be lent (the "Loan") by the City to the Corporation in order to finance the Project and to refund the Refunded Bonds, to fund a debt service reserve fund for the Bonds or a portion thereof, to pay a portion of the interest to accrue on the Bonds, and to pay certain costs of issuance of the Bonds; and

Whereas, pursuant to one or more Loan Agreements (whether one or more, the "Loan Agreement"), to be entered into between the City and the Corporation, drafts of which have been made available to the Council prior to this meeting and which have been reviewed to the extent deemed necessary, the Corporation will issue to the City its Note or Notes (whether one or more, the "Notes"). The Notes will be issued under the Master Trust Indenture (the "Master Indenture"), dated as of November 1, 1985, between the Corporation, as successor to Carondelet Community Hospitals, Inc. and U.S. Bank National Association, formerly known as First Trust National Association, as trustee (the "Master Trustee"), as supplemented and amended by one or more Supplemental Indentures thereto (whether one or more the "Supplemental Indenture") to be entered into between the Corporation and the Master Trustee. Under the Notes, the Corporation will unconditionally agree to repay the Loan made by the City under the Loan Agreement in specified amounts and at specified times sufficient to make the necessary payments of principal of, premium, if any, and interest on the Bonds, when due. In addition,

the Loan Agreement contains provisions relating to the payment by the Corporation of administrative costs of the Bond Trustee (as hereinafter defined), indemnification, insurance and other agreements and covenants which are required by the Act or which are permitted by the Act and which the City and the Corporation deem necessary or desirable for the sale of the Bonds. Pursuant to the Loan Agreement or a Fee Agreement (the "Fee Agreement") between the City and the Corporation, the Corporation will agree to pay the administrative fee of the City with respect to the Bonds; and

Whereas, pursuant to one or more Indentures of Trusts (whether one or more, the "Bond Indenture") to be entered into between the City and Wells Fargo Bank, National Association, as Trustee (the "Bond Trustee"), drafts of which have been made available to the Council prior to this meeting and which have been reviewed to the extent deemed necessary, the City assigns and pledges all of its right, title and interest in the Loan Agreement (other than rights specifically retained by the City including, but not limited to, indemnification and administrative fees and expenses), the Notes, the Master Indenture and the Supplemental Indenture to the Bond Trustee. In addition, the Bond Indenture, among other things, sets the interest rates, maturity dates and redemption provisions for the Bonds, establishes the various funds and accounts for the deposit and transfer of money and contains other provisions which are required by the Act or which are permitted by the Act and which the City and the Corporation deem necessary or desirable in connection with the sale of the Bonds; and

Whereas, pursuant to the terms of the Bond Indenture, the bond indentures for the Refunded Bonds or of one or more Escrow Agreements (whether one or more, the "Escrow Agreement"), to be entered into between the City, the Corporation and an escrow agent (the "Escrow Agent"), a portion of the proceeds of the Bonds will be deposited with the Escrow Agent or the trustee for the Refunded Bonds and applied, with other available funds of the Corporation and any funds held by the trustee of the Refunded Bonds, for the purpose of defeasing the Refunded Bonds; and

Whereas, the Bonds will be special limited obligations of the City payable solely from amounts payable by the Corporation under the Notes, other than to the extent payable from the proceeds of the Bonds. The Bonds shall not be payable from or charged upon any funds other than the revenue pledged to the payment thereof, nor shall the City be subject to any liability thereon. No holder or holders of any Bond shall ever have the right to compel any exercise of the taxing power of the City to pay any such Bond or the interest thereon, nor to enforce payment thereof against any property of the City except the Notes. The Bonds shall not constitute a debt of the City within the meaning of any charter, constitutional or statutory limitation; and

Whereas, the Bonds will be purchased from the City by Citigroup Global Markets Inc., RBC Capital Markets Corporation, Wells Fargo Brokerage Services, LLC, Dougherty & Company, LLC or such other investment banking firm selected by the Corporation, either acting jointly or separately with respect to a series of Bonds (the original purchaser or purchasers of any series of Bonds is herein called the "Underwriter") pursuant to one or more Purchase Contracts (whether one or more, the "Bond Purchase Agreement") between the City, the Corporation and the Underwriter of the bonds to which such Bond Purchase Agreement relates, a draft of which has been made available to the Council prior to this meeting and which has been reviewed to the extent deemed necessary; and

Whereas, one or more Official Statements related to the Bonds (whether one or more, the "Official Statement"), have been made available to the Council prior to this meeting. The Official Statement will be distributed by the Underwriter to potential purchasers of the Bonds. The City has not participated in the preparation of or the review of the Official Statement;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That in order to provide for the financing of the Project and the refunding of the Refunded Bonds, the City hereby authorizes the issuance of the Bonds as revenue bonds under the Act in one or more series, in the aggregate principal amount of up to \$850,000,000 (exclusive of any portion representing original issue discount). The City Finance Officer is hereby authorized to approve the purchase price of the Bonds, provided that the purchase price equals or exceeds 98% of the principal amount of the Bonds less any portion of such principal amount which represents original issue discount; the aggregate principal amount of the Bonds, provided that such principal amount is not in excess of \$850,000,000 (exclusive of any portion representing original issue discount); the maturity schedule of the Bonds, provided that the Bonds mature at any time or times in such amount or amounts not exceeding 40 years from the date of issuance thereof; the provisions for prepayment and redemption

of the Bonds prior to their stated maturity; and the initial interest rates for any series of Bonds, provided that no initial interest rate exceeds 8.00% per annum. Such approval shall be conclusively evidenced by the execution of the Bond Purchase Agreement as provided herein by the City Finance Officer. The issuance of the Bonds is subject to the approval by the Minnesota Department of Employment and Economic Development as required by the Act, which approval has already been received.

Be It Further Resolved that each Bond shall be executed on behalf of the City by the manual or facsimile signatures of the City Finance Officer. The Bonds when executed and delivered shall contain a recital that they are issued pursuant to the Act. The Bond Trustee is hereby designated as authenticating agent pursuant to Minnesota Statutes, Section 475.55. If any officer who shall have signed any of the Bonds shall cease to be such officer of the City before the Bonds so signed shall have been actually authenticated by the Trustee or delivered by the City, such Bonds nevertheless may be authenticated, issued and delivered with the same force and effect as though the person who signed such Bonds had not ceased to be such officer of the City.

Be It Further Resolved that the Bond Indenture, the Loan Agreement, the Fee Agreement and the Escrow Agreement are hereby made a part of this Resolution as fully as though set forth in full herein and are hereby approved in the forms submitted to the Council prior to this meeting, and the City Finance Officer is hereby authorized and directed to execute, acknowledge and deliver the Bond Indenture, the Loan Agreement, the Fee Agreement and the Escrow Agreement on behalf of the City with such changes, insertions and omissions therein as do not change the substance of the Bond Indenture, Loan Agreement, the Fee Agreement or the Escrow Agreement and as may be approved by the City Finance Officer, such approval to be evidenced conclusively by his execution of the Bond Indenture, the Loan Agreement, the Fee Agreement and the Escrow Agreement.

Be It Further Resolved that the City hereby consents to the distribution by the Underwriter to potential purchasers of the Bonds of one or more Preliminary Official Statements (whether one or more, the "Preliminary Official Statement") in substantially the form of the Official Statement submitted to the Council prior to this meeting if it is determined by the Underwriter and the Corporation to be necessary to distribute a Preliminary Official Statement to potential purchasers of the Bonds, and consents to the distribution by the Underwriter of the Official Statement by the Underwriter to potential purchasers or purchasers of the Bonds in substantially the form submitted to the Council prior to this meeting. The City has not participated and will not participate in the preparation of the Preliminary Official Statement or Official Statement and has made no independent investigation with respect to the information contained therein or in the appendices thereto, and the City assumes no responsibility for the sufficiency, accuracy or completeness of such information.

Be It Further Resolved that the Bond Purchase Agreement is hereby made a part of this Resolution as fully as though set forth in full herein and is hereby approved in the form submitted to the Council prior to this meeting and, upon the determination of the terms of the Bonds (within the limitations set forth herein) and the execution of the Bond Purchase Agreement by the Corporation and the Underwriter, the City Finance Officer is hereby authorized and directed to execute the Bond Purchase Agreement on behalf of the City, with such further changes, insertions or omissions therein as do not change the substance of the Bond Purchase Agreement and as may be approved by the City Finance Officer, such approval to be evidenced conclusively by his execution of the Bond Purchase Agreement.

Be It Further Resolved that the Mayor, the City Clerk, the City Finance Officer and all other officers of the City are hereby authorized and directed to execute and deliver all other documents which may be required under the terms of the Bond Indenture, the Loan Agreement, the Fee Agreement, the Escrow Agreement or the Bond Purchase Agreement, and to take such other action as may be required or appropriate for the performance of the duties imposed thereby or to carry out the purposes thereof.

Be It Further Resolved that in the absence or disability of the Mayor, the City Clerk, the City Finance Officer or any other officer of the City named in any instrument to be executed on behalf of the City in connection with the issuance of the Bonds, the acting Mayor, Assistant City Clerk, Assistant Finance Officer or other officer may execute such instrument. The execution of any instrument by an officer of the City shall be conclusive evidence of its approval.

Be It Further Resolved that the City Finance Officer is hereby designated for all purposes of the Loan Agreement, the Bond Indenture and the Bond Purchase Agreement as the City official authorized to execute on behalf of the City certificates, requests or consents as provided in the Loan Agreement, the Bond Indenture and the Bond Purchase Agreement.

Be It Further Resolved that the City's contracting requirements incorporated into the Loan Agreement shall apply only to construction which has taken place or will take place within the City limits of the City.

Be It Further Resolved that the bonds are hereby designated "Program Bonds" and are determined to be within the "Health Care Program" and the "Program", all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Adopted 9/26/2008.

Absent - Glidden.

Approved by Mayor Rybak 9/26/2008.

Comm Dev - Your Committee recommends that the proper City officers be authorized to execute Cooperative Agreements with Hennepin County and the Hennepin County Housing and Redevelopment Authority for 2008 Hennepin County Transit Oriented Development (TOD) Program grant awards, as follows:

Project	Applicant	TOD \$ Award
Broadway Plaza	Great Neighborhoods! Development Corporation	\$198,000
Delisi Transit Plaza	The Ackerberg Group	\$133,000
Franklin-Portland Gateway IV	Aeon & Hope Community	\$309,000
Longfellow Station	Capital Growth Real Estate	\$200,000
Lowry Apartments	Lowry Apartments Limited Partnership	\$65,000
North Branch Library	Emerge Community Development	\$400,000
Penn Avenue Apartments	Christian Restoration Services	\$25,000
Salem Church Redevelopment	Brighton Development Corporation	\$150,000
Adopted 9/26/2008.		
Absent - Glidden.		

Comm Dev - Your Committee, having under consideration a revision to the 2007 Affordable Housing Trust Fund (AHTF) Alliance Housing's Scattered Site Rehabilitation project, removing 1844 E 26th St from the rehabilitation scope of work and replacing it with 3037 Oakland Ave, now recommends approval of said revision, and that the proper City officers be authorized to execute necessary documents for the AHTF loan.

Adopted 9/26/2008.

Absent - Glidden.

Comm Dev - Your Committee, having under consideration classification of tax forfeited land, now recommends passage of the accompanying resolution which approves the following:

- a) Classification of various properties as non-conservation land;
- b) Conveyance of 9 Hennepin County tax-forfeited properties to the City of Minneapolis for \$1.00 each, in accordance with the Memorandum of Understanding between the two governmental entities;
- c) Conveyance of 4 Hennepin County tax-forfeited properties to the City of Minneapolis for the fair market value as agreed to by both parties, utilizing the defer payment option as outlined in the Memorandum of Understanding between the two governmental entities;
- d) Placement of 9 Hennepin County tax-forfeited properties on hold for 6 months for the Department of Community Planning & Economic Development; and
- e) Authorizing the Mayor and the City Clerk to sign an application for title registration which will be filed pursuant to Minnesota Statutes 508.03(6).

Adopted 9/26/2008.

Absent - Glidden.

Resolution 2008R-408, approving the classification of certain forfeited land located in the City of Minneapolis, Hennepin County, Minnesota, as non-conservation and the conveyance thereof, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-408 By Goodman

Approving the classification of certain forfeited land located in the City of Minneapolis, Hennepin County, Minnesota, as non-conservation and the conveyance thereof.

Whereas, the City Council of the City of Minneapolis, Hennepin County, Minnesota, has been advised by the County of Hennepin, Minnesota, that certain parcels of land in said City have become the property of the State of Minnesota under the provision of law declaring the forfeiture of lands to the State for nonpayment of taxes;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the parcels listed below which have not already been designated as non-conservation land be designated as such, and that all the properties listed below be withheld from public and private sale and conveyed to the City of Minneapolis/Department of Community Planning & Economic Development:

<u>PID Number</u> 02-028-24-11-0032	Address Target Lot Size 3042 18TH Av S Yes 38x123	Ward 9	Date Of Forfeit 5/22/08	Zoning Current Use R2B Occupied Duplex	Legal Description LOT 005 BLOCK 002 GOODRICH'S PARK ADDITION TO MINNEAPOLIS
08-029-24-41-0131	3000 Russell Ave N Yes 40x127	4	5/22/08	R2B Vacant Boarded Duplex	LOT 016 BLOCK 001 "QUEEN AVENUE ADDITION TO MINNEAPOLIS"
08-029-24-41-0151	2937 Queen Ave N Yes 40x126 (Deferred Payment Option)		5/22/08	R1A Vacant Land	LOT 006 BLOCK 002 "QUUEN AVENUE ADDITION TO MINNEAPOLIS'
08-029-24-42-0114	3027 Upton Ave N Yes 42x127	4	5/22/08	R1A Vacant Single Family	LOT 008 SEALLUM GATES' FOURTH ADDITION TO MINNEAPOLIS
09-029-24-43-0195	2708 Humboldt Ave N Yes 43x125	5	5/22/08	R1A Vacant Duplex	LOT 010 BLOCK 031 FAIRMONT PARK ADDITION TO MINNEAPOLIS
10-029-24-32-0114	2917 6TH St N Yes 55x165	3	5/22/08	R2B Vacant Duplex	LOT 004 BLOCK 026 MORRISONS ADDITION TO NORTH MINNEAPOLIS

16-029-24-23-0033	2125 James Ave N 5 Yes 6,120 Irregular	5/22/08	R2B Vacant Boarded Single Family	LOT 022 BLOCK 019 "FOREST HEIGHTS"
17-029-24-14-0212	2101 Penn Av N 5 Yes 43x128	5/22/08	R1A Vacant Single Family	LOT 014 BLOCK 007 "WYANT & KIICHLI'S ADDITION TO MINNEAPOLIS"
21-029-24-21-0003	1218 Irving Ave N 5 Yes 46x126	5/22/08	R2B Vacant Boarded Single Family	LOT 008 BLOCK 001 "OAK PARK ADDITION TO MINNEAPOLIS"
09-029-24-41-0105	2906 Dupont Ave N3 Yes 40x126 (Deferred payment option)	6/12/08	R2B Vacant Land	LOT 017 BLOCK 004 "HARMONY TERRACE"
09-029-24-42-0009	3019 Dupont Ave N5 Yes 45x127	6/12/08	R2B Vacant Single Family	LOT 009 BLOCK 009 "SILVER LAKE ADDITION" TO MINNEAPOLIS
14-028-24-23-0100	4815 Oakland Av 8 No 37x119 (Non Target)	6/20/08	R1A Vacant Land	LOT 013 BLOCK 003 DUNSMOOR'S FIFTH ADDITION TO MINNEAPOLIS
10-028-24-21-0166	3916 Blaisdell Av S8 No 37x169 (Deferred payment option)	6/26/08	R1A Vacant Land	LOT 035 BLOCK 003 "VAN NEST'S ADDITION TO MINNEAPOLIS"
35-029-24-14-0044	2447 16th Ave S 9 Yes 25x123.5 (Deferred payment option)	6/26/08	R2B Vacant Land	S 25 FT LOT 013 BLOCK 003 GILPATRICK'S ADDITION TO MINNEAPOLIS

Be It Further Resolved that the parcels listed below be designated as non-conservation land, and that all the properties listed below be withheld from sale for six (6) months:

	<u>Address</u>				
	<u>Target</u>		Date Of	Zoning	
PID Number	Lot Size	Ward	<u>Forfeit</u>	Current Use	Legal Description
34-029-24-42-0467	2624 1ST Ave S	6	6/20/08	R5 Vacant	N 1/2 OF LOT 1
	Yes			Land	BLOCK 006
	30x125.2			Apartment	CORSONS
					ADDITIONTO
					MINNEAPOLIS

15-029-24-23-0119	2106 Lyndale Av N Yes 43x154	I 3	5/22/08	R2B Vacant Boarded Single Family	LOT O11 BLOCK 001 "THE RENO LAND AND IMPROVEMENT COMPANY'S ADDITION TO MINNEAPOLIS"
24-029-24-11-0207	1721 Como Av SE Yes 80x80	2	5/22/08	C1 Vacant Commercial Building	E 80 FT OF LOTS 14 AND 15
12-029-24-32-0094	924 24TH Ave NE Yes 35x31	1	6/12/08	R2B Commercial Land	E 35 FT LOT 030 "P.C. DEMING'S REVISION OF BLOCK 3 IN EAST SIDE ADDITION TO MINNEAPOLIS"
15-029-24-22-0021	413 24TH Ave N Yes 57x76	3	6/12/08	R2B Vacant Land	W 57 FT OF E 117 FT OF LOT 1 AND W 57 FT OF E 117 FT OF N 28 FT OF LOT 2 BLOCK 008 COBB'S ADDITION TO NORTH MINNEAPOLIS
16-029-24-12-0116	2519 Fremont Ave N Yes 50x157	5	6/12/08	R2B Occupied Apartment Building	LOT 003 BLOCK 042 HIGHLAND PARK ADDITION TO THE CITY OF MINNEAPOLIS
17-029-24-11-0006	2307 West Broadway Yes 47x123	5	6/12/08	OR2 Vacant Boarded Single Family	EX ST LOT 004 AUDITOR'S SUBDIVISION NO. 150 HENNEPIN COUNTY, MINN
21-029-24-21-0053	1111 Irving Ave N Yes 42x2889	5	6/12/08	R2B Vacant Land	THAT PART LYING E OF THE W 39 42/100 FT LOT 020 BLOCK 002 "OAK PARK ADDITION TO MINNEAPOLIS"
16-029-24-12-0171	2323 Emerson AvN Yes 94x157	5	6/26/08	C1 Vacant Commercial Building - Contaminated	LOTS 1 AND 2 BLOCK 031 HIGHLAND PARK ADDITION TO THE CITY OF MINNEAPOLIS

Be It Further Resolved that the parcels listed below be designated as non-conservation land, and that all the properties listed below be released for public auction:

PID Number 30-029-23-42-0137	Address 70 Seymour Av SE No 60x106x93x120 REPURCHASED	<u>Ward</u> 2	Date Of Forfeit 5/22/08	Zoning Current Use R1A Occupied Fourplex	Legal Description LOT 025 BLOCK 015 "PROSPECT PARK, FIRST DIVISION (REVISED)"
01-028-24-12-0053	3122 Minnehaha Av Yes 26x150	9	5/22/08	R2B Vacant Single Family	SELY 24.5 FT OF LOT 20 AND NWLY 1 FT OF LOT 21 BLOCK 001 GRISWOLDS 3D ADDITION TO MINNEAPOLIS
02-028-24-43-0208	3713 15TH Av S Yes 50x122 REPURCHASED	9	5/22/08	R2B Occupied Single Family	LOT 021 BLOCK 008 JENNIE R.F. BLASDELL'S ADDITION TO MINNEAPOLIS
03-028-24-11-0141	3119 Clinton Av S Yes 45x128 REPURCHASED	8	5/22/08	R4 Occupied Single Family	LOT 008 BLOCK 002 THIRD AVE. ADDITION TO MINNEAPOLIS
03-028-24-21-0258	1 Lake St W #45 Yes Condo REPURCHASED	10	5/22/08	EZ Condo Garage	UNIT NO G-45 CONDOMINIUM NO 0292 INTOWN ON LAKE, A CONDOMINIUM
15-028-24-44-0099	5238 Hampshire Dr No Irregularly shaped 650 sq. ft. parcel	11	5/22/08	R1 Vacant Land	THAT PART OF LOT 9 BLOCK 1 NICHOLSON PARK FIRST ADDITION TO MINNEAPOLIS MINN LYING SOUTH OF A LINE DRAWN PARALLEL TO AND 493.7 FEET SOUTH OF THE NORTH LINE OF COVERNMENT LOT 2 SECTION 15 TOWNSHIP 28 RANGE 24 NICHOLSON PARK FIRST ADDITION TO MINNEAPOLIS MN
08-029-24-41-0176	3125 Russell Ave N Yes 42X128 REPURCHASED	4	5/22/08	R4 Vacant Duplex	LOT 001 SEALLUM GATES ADDITION TO MINNEAPOLIS

09-029-24-41-0001	2957 Lyndale Ave N Yes 33x125	3	5/22/08	R2B Vacant Boarded Duples	LOT 001 BLOCK 001 "HARMONY TERRACE"
09-029-24-43-0204	2807 Girard Ave N Yes 43x125 REPURCHASE	5	5/22/08	R2B Occupied Single Family	LOT 006 BLOCK 032 FAIRMONT PARK ADDITION TO MINNEAPOLIS
10-029-24-32-0064	3019 4TH St N Yes 55x165	3	5/22/08	R2B Occupied Duplex	LOT 004 BLOCK 010 MORRISONS ADDITIONTO NORTH MINNEAPOLIS
10-029-24-34-0052	2808 Washington Ave N Yes 55x144	3	5/22/08	I2 Occupied Industrial Building	EX ALLEY LOT 008 BLOCK 028 MORRISONS ADDITION TO NORTH MINNEAPOLIS
11-029-24-44-0038	1850 Jackson St NE Yes 43X125 REPURCHASED	1	5/22/08	R2B Vacant Single Family	E 125 FT OF LOT 2 BLOCK 032 "EAST SIDE ADDITION TO MINNEAPOLIS"
13-029-24-31-0018	740 Pierce St NE Yes 40x125	3	5/22/08	R2B Vacant Boarded Duplex	LOT 020 BLOCK 004 CUMMINGS 2D ADDITION TO MINNEAPOLIS
15-029-24-23-0040	2211 4TH St N Yes 40x157	3	5/22/08	R2B Vacant Boarded Duplex	LOT 008 BLOCK 002 NICKELS AND SMITH'S ADDITION TOMINNEAPOLIS
15-029-24-23-0184	2122 6TH St N Yes 78x157	3	5/22/08	R2B Vacant Duplex	LOT 15 AND 16 BLOCK 002 "RENO'S ADDITION TOMINNEAPOLIS"
16-029-24-11-0091	2424 Bryant Ave N Yes 44x157 REPURCHASED	3	5/22/08	R2B Vacant Boarded Single Family	LOT 014 BLOCK 013 HIGHLAND PARK ADDITION TO THE CITY OF MINNEAPOLIS
16-029-24-12-0145	2504 Humboldt AvN Yes 40x89 REPURCHASED	5	5/22/08	R2B Occupied Duplex	N 40 FT OF S 42 FT OF W 89 FT OF E 179 FT LOT 006 BLOCK 043 HIGHLAND PARK ADDITION TO THE CITY OF MINNEAPOLIS

16-029-24-43-0141	1320 Emerson Av N Yes 41x154	5	5/22/08	R2B Vacant Boarded Duplex	LOT 017 BLOCK 023 "GALES SUBDIVISIONS IN SHERBURNE & BEEBE'S ADDITION TO MINNEAPOLIS
21-029-24-22-0210	1012 Morgan Ave N Yes 42x127	5	5/22/08	R2B Vacant Single Family	LOT 018 BLOCK 024 "OAK PARK ADDITION TO MINNEAPOLIS"
21-029-24-23-0038	710 Newton Av N Yes 42x127 REPURCHASED	5	5/22/08	R2B Vacant Single Family	LOT 030 BLOCK 017 "OAK PARK ADDITION TO MINNEAPOLIS"
23-029-24-34-0255	600 2ND St S #P36 Yes	7	5/22/08	Condo Garage	GAR UNIT P36 CIC NO. 0935 STONE ARCH/WASHBURN LOFTS
27-029-24-33-0910	301 Clifton Av #G53 Yes	7	5/22/08	OR3 Condo Garage	GAR UNIT G53 CIC NO. 1206 301 CLIFTON PLACE CONDOMINIUM
34-029-24-44-0072	500 Lake St E Yes REPURCHASED	6	5/22/08	C1 Occupied Commercial Building	LOTS 14 AND 15 BLOCK 001 HANCES ADDITION TO MINNEAPOLIS
35-029-24-11-0043	2301 Bloomington Ave S Yes 29x120 REPURCHASED	9	5/22/08	R2B Occupied Single Family	S 1/2 LOT 006 BLOCK 005 FOSTER'S ADDITION TO MINNEAPOLIS
16-029-24-11-0010	2507 Lyndale Ave N Yes 50x157 REPURCHASED	3	6/12/08	R2B Vacant Land	LOT 006 BLOCK 001 HIGHLAND PARK ADDITION TO THE CITY OF MINNEAPOLIS
16-029-24-11-0184	708 25TH Ave N Yes 43x50 REPURCHASED	3	6/12/08	R2B Vacant Land	W 43.17 FT OF E 119.55 FT LOT 7 BLK 1 HIGHLAND PARK ADDITION TO THE CITY OF MINNEAPOLIS
16-029-24-11-0185	712 25TH Ave N Yes REPURCHASED	3	6/12/08	R2B Vacant Land	THAT PART OF LOT 7 BLK 1 LYING W OF E 119.55 FT THOF HIGHLAND PARK ADDITION TO THE CITY OF MINNEAPOLIS

21-029-24-23-0177	903 Logan Ave N Yes 84x126	5	6/12/08	R2B Occupied Single Family	LOTS 7 AND 8 BLOCK 023 "OAK PARK ADDITION TO MINNEAPOLIS"
27-029-24-24-0475	210 Grant St W #621 Yes Condo	7	6/12/08	OR3 Occupied Condo	APT NO 621 APARTMENT OWNERSHIP NO 0194 LORING WAY CONDOMINIUM
14-028-24-14-0023	4809 Bloomington Av S No 127x174	11	6/20/08	R3 Occupied Duplex	LOT 008 "HEGG'S ADDITION TO MINNEAPOLIS MINNESOTA"
17-028-24-43-0128	5231 Washburn AvS No 40x128	13	6/20/08	R1A Occupied Single Family	LOT 023 "WOODHOLME ACRES"
09-029-24-44-0167	918 26TH Ave N Yes 43x85	3	6/20/08	R2B Vacant Land	E 1/2 OF W 2/3 OF LOTS 8 AND 9 BLOCK 012 FAIRMONT PARK ADDITION TO MINNEAPOLIS
21-029-24-31-0044	418 Logan Av N Yes 33x126	5	6/20/08	R1A Vacant Land	LOT 017 BLOCK 009 MABEN, WHITE, AND LE BRON'S ADDITION TO MINNEAPOLIS MINNESOTA
09-029-24-34-0174	2649 Humboldt Ave N Yes 43x125	5	6/26/08	R1A Occupied Duples	LOT OO2 BLOCK 001 "WOODLAWN"
13-029-24-31-0076	749 Buchanan St NE Yes 118x68	3	6/26/08	R1A Vacant Land	THAT PART OF LOTS 2 3 AND 6 LYING WLY OF ALLEY BLOCK 002 "RAMSEY, LOCKWOOD & OTHERS ADDITION" TO ST. ANTHONY
16-029-24-11-0034	2422 Aldrich Av N Yes 40x157	3	6/26/08	R2B Occupied Duples	S 40 FT LOT 013 BLOCK 002 HIGHLAND PARK ADDITION TO THE CITY OF MINNEAPOLIS
21-029-24-22-0093	1234 Morgan Ave N Yes 43.38x126.39	5	6/26/08	R2B Vacant Land	LOT 008 BLOCK 030 "OAK PARK ADDITION TO MINNEAPOLIS"

21-029-24-24-0112	625 Elwood Ave N Yes 45x129 REPURCHASED	5	6/26/08	R2B Vacant Land	LOT 015 BLOCK 014 "OAK PARK ADDITION TO MINNEAPOLIS"
21-029-24-32-0071	523 Morgan Ave N Yes 33x126.3	5	6/26/08	R2B Vacant Land	LOT OO9 BLOCK 006 MABEN, WHITE, AND LE BRON'S ADDITION TO MINNEAPOLIS MINNESOTA
34-029-24-44-0082	2905 5TH Ave S Yes 43x119	6	6/26/08	I1 Commercial Land	LOT 025 BLOCK 001 HANCES ADDITION TO MINNEAPOLIS

Be It Further Resolved that the parcels listed below be designated as non-conservation land, and that all the property listed below be released for auction to adjacent owners:

PID Number 11-118-21-43-0087	<u>Ward</u> 4	Address Lot Size 4516 Newton Av N No 12x126	Date Of Forfeit 5/22/08	Legal Description N 11.6 FT OF LOT 18 BLK 8 "CAMDEN OAKS ADDITION TO MINNEAPOLIS, MINNESOTA"
14-029-24-24-0202	3	1104 1/2 Washington St NE Yes 40x25	6/12/08	W 25 FT OF E 100 FT OF LOT 17 "NEWELS SUBDIVISION OF BLOCK 1 OF CUTTERS ADDITION TO MINNEAPOLIS"
16-029-24-43-0176	5	1115 15th Ave N Yes 60x48	6/12/08	THAT PART OF LOT 14 LYINGE OF A LINE DRAWN PAR WITH W LINE THOF FROM A PT ON N LINE THOF DIS 95 FT E FROM NW COR THOF BLOCK 019 "GALES SUBDIVISIONS IN SHERBURNE & BEEBE'S ADDITION TO MINNEAPOLIS"
35-029-24-41-0190	9	2631 16th Ave S Yes 28x124	6/26/08	N 1/2 LOT 002 BLOCK 002 SYLVESTER MILLS' ADDITION TO MINNEAPOLIS
08-029-24-43-0063	4	2737 Thomas Ave N Yes 2625 sq. ft.	6/12/08	LOT 006 BLOCK 001 "RADISSON PARK ADDITION TO MINNEAPOLIS"
08-029-24-43-0064	4	2733 Thomas Ave N Yes 2436 sq. ft.	6/12/08	LOT 007 BLOCK 001 "RADISSON PARK ADDITION TO MINNEAPOLIS

21-029-24-34-0196 5 208 Cedar Lake Rd N 6/26/08 Yes

Yes 4103 LOT 12 AND THAT PART
OFLOT11LYING NLY OF A
LINE DESC AS BEG AT A
PT ON THE W LINE THOF
DIST 41.12FT SWLY FROM
TH NW COR OF SAID LOT
11 TH TO THE SE COR
THOF AND THERE
TERMINATING INCL ADJ
PORTION OF VAC ALLEY
BLOCK 002 BYRNES'
ADDITION TO
MINNEAPOLIS

Be It Further Resolved that the City is authorized to file an application for title registration on the tax forfeited properties listed in this resolution for acquisition by the City of Minneapolis signed by the Mayor and the City Clerk pursuant to Minnesota Statutes 508.03(6).

Adopted 9/26/2008.

Absent - Glidden.

The COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET Committees submitted the following report:

Comm Dev & W&M/Budget – Your Committee, having under consideration receipt of an American Government Award from the Ash Institute for Democratic Governance and Innovation in the amount of \$5,000 for the Corridor Housing Strategy, now recommends that the proper City officers be authorized to accept and appropriate said award, and to execute such agreements as may be necessary to implement the same.

Your Committee further recommends passage of the accompanying resolution increasing the Department of Community Planning and Economic Development (CPED) appropriation to reflect the receipt of said grant funds.

Adopted 9/26/2008.

Absent - Glidden.

RESOLUTION 2008R-409 By Goodman and Ostrow

Amending the 2008 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in the Department of Community Planning and Economic Development Grants Other Fund (01600-8900220) by \$5,000 and increasing the revenue source (01600-8900900-372001) by \$5,000.

Adopted 9/26/2008.

Absent - Glidden.

The PUBLIC SAFETY & REGULATORY SERVICES Committee submitted the following reports:

PS&RS - Your Committee, to whom was referred an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, providing a formula for annual increases in the rental dwelling license fee, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 9/26/2008.

Absent - Glidden.

Ordinance 2008-Or-074 amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, amending Section 244.1880 to provide a formula for annual increases in the rental dwelling license fee, was adopted 9/26/2008 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2008-Or-074
By Samuels
Intro & 1st Reading: 8/22/2008
Ref to: PS&RS
2nd Reading: 9/26/2008

Amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 244.1880 (a) of the above-entitled ordinance be amended to read as follows:

244.1880. License fees. (a) The annual license fee for a rental dwelling license or provisional license is sixty-one (\$61.00) for the first dwelling unit shall be increased annually using the following formula: the total annual revenue for rental dwelling licenses or provisional licenses for the most recent full year at the time of rate setting, as adjusted for refunds and extraordinary events. This amount is then increased by the Schedule J increase for the current year, subject to a maximum of 4%, and divided by the number of rental licenses, and applied to the first unit fee. The annual license fee shall be nineteen dollars (\$19.00) for each additional dwelling unit under common ownership in the same building. A change in ownership shall require a new license application and payment of the license fee. An increase in the number of licensed dwelling units during the license year shall require an amended license application and the payment of an additional license fee to cover the additional units. The annual license fee schedule for licenses issued under this article for each additional dwelling unit under common ownership in the same building shall be reviewed by city council in 2012.

Adopted 9/26/2008.

Absent - Glidden.

PS&RS - Your Committee, to whom was referred an ordinance amending Title 13, Chapter 320 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Vehicle Immobilization Service*, increasing the maximum service fee for vehicle immobilization, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 9/26/2008.

Absent – Glidden.

Ordinance 2008-Or-075 amending Title 13, Chapter 320 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Vehicle Immobilization Service*, amending Section 320.70 to increase the maximum service fee for vehicle immobilization, was adopted 9/26/2008 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2008-Or-075
By Schiff
Intro & 1st Reading: 9/12/2008
Ref to: PS&RS
2nd Reading: 9/26/2008

Amending Title 13, Chapter 320 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Vehicle Immobilization Service.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 320.70 of the above-entitled ordinance be amended to read as follows: **320.70. Service fee.** The maximum service fee for vehicle immobilization shall not exceed fifty dollars (\$50.00) one hundred dollars (\$100.00). Vehicle immobilization service licensees shall honor all forms of payment currently accepted by the City of Minneapolis impound facility.

Adopted 9/26/2008.

Absent - Glidden.

PS&RS - Your Committee recommends passage of the accompanying resolution granting the application of International Ballroom, 3003 27th Av S, for a Rental Hall License, subject to conditions. Adopted 9/26/2008.

Absent - Glidden.

Resolution 2008R-410, granting the application of International Ballroom, 3003 27th Av S, for a Rental Hall License, subject to conditions, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-410 By Samuels

Granting the application of International Ballroom, 3003 27th Av S, for a Rental Hall License, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by Baku Entertainment & Restaurants LLC, dba International Ballroom, 3003 27th Av S, for a Rental Hall License to expire February 1, 2009, subject to the following conditions:

- 1. The licensee will provide a current certificate of occupancy due at time of signing.
- 2. The licensee will maintain the premises in a clean and sanitary manner, and have the premises well ventilated and adequately lighted.
 - 3. A written, signed lease is required for all events for which a rental hall license is required.
 - a. All lease agreements shall be kept on file at the licensed rental hall for a period of one year after the date of the event and made available to a license inspector or police officer upon request.
 - b. All lease agreements shall be maintained along with and accompanied by the following information:
 - i. The name(s), telephone number(s) and residential address(es) of the person(s) leasing the rental hall and of the contact person for the event.
 - ii. The nature of the event and the estimated number of attendees.
 - The hours during which the lessee has use of the rental hall and the specific hours of the event.
 - iv. The type and amount of entertainment offered/allowed by the lessee.

- 4. The licensee shall have a designated manager who is an employee of the licensee on the premises at all times the hall is utilized or leased.
- 5. The licensee shall provide one security guard licensed pursuant to Minnesota Statutes, Section 326.32 et seq. at the rental hall premises for each fifty guests at each and every event.
- 6. All events must be conducted in strict compliance with all applicable federal, state and local laws and ordinances including, but not limited to, any law relating to zoning, building maintenance, fire prevention, liquor, health or safety.
- 7. The licensee shall take appropriate action to prevent violations of law by persons attending events for which a license is required. The licensee shall not allow persons engaging in disorderly or illegal behavior to enter or remain on the rental hall premises.
- 8. The certificate of occupancy, occupant load certificate, hours of operation, business license conditions and the license certificate issued under this Chapter shall at all times be posted in a conspicuous place on the premises.
- 9. The licensee shall maintain general liability insurance in the following amounts, in full force and effect for the duration of the license: personal injury \$200,000 per claim/\$600,000 aggregate; and property damage \$50,000.
- 10. Unless also licensed pursuant to this chapter, the lessee of a rental hall shall not sublease the premises to any other person nor shall the rental hall licensee allow such subletting.
- 11. The licensee shall report to the respective police precinct all events involving both dancing by guests and live or recorded music, at least five business days prior to the event.
- 12. The licensee shall have no more than one event per month at which maximum occupancy is reached and no more than two events weekly with occupancy at 250 or less.
- 13. The licensee shall not charge a cover charge or any kind of entry fee to individuals using the rental hall.
- 14. The rental hall must not be open to the general public and shall be available for rental by individuals or groups for private meetings, parties, weddings, or similar occasions. Guest list should be maintained for each event and made available for review by licensing inspector and police.
- 15. The licensee shall maintain, use, and have control over a surveillance camera that monitors and records the main entrance used by the International Ballroom for each time the Rental Hall is occupied by guests. The use of a surveillance camera shall meet all of the requirements listed in Minneapolis Ordinance 259.230.
- 16. Should a serious criminal incident involving felony-level violence occur on the licensed premises or within 100 feet of any entrance to the licensed premises with a demonstrable nexus and connection to any event occurring at the licensed premises, the Director of Licenses & Consumer Services may require that the licensee install and utilize any reasonable security measure for similar future events, including but not limited to weapons screening devices or practices.
- 17. All guests will be parked by a licensed valet service. The licensee needs to successfully lease 83 spaces where the valet service may park cars. These spaces shall not include the US Bank Parking lot or the lot behind the Oddfellows Building because those spaces are currently being used to full capacity. If the 83 spaces are no longer available to the licensee, the licensee will be required to renegotiate the occupancies approved lease document showing the 83 spaces must be provided to Licenses & Consumer Services before being submitted for recommended action to the Council.
 - 18. One of the two events allowed per week will have no alcohol allowed in the Ballroom.
- 19. Security personnel will take measures to prevent and abate guests loitering on the sidewalk in front of the main entrance to the Ballroom.
- 20. The licensee will provide a smoking area in the back of the Oddfellows that is well-lit to prevent smoking in front.
 - 21. final inspection and compliance with all provisions of applicable codes and ordinances. Adopted 9/26/2008.

Absent – Glidden.

PS&RS - Your Committee recommends passage of the accompanying resolution granting the application of Class A Valet, PO Box 50377, Minneapolis, for a Valet License, subject to conditions. Adopted 9/26/2008.

Absent - Glidden.

Resolution 2008R-411, granting the application of Class A Valet, PO Box 50377, Minneapolis, for a Valet License, subject to conditions, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-411 By Samuels

Granting the application of Class A Valet, PO Box 50377, Minneapolis, for a Valet License, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by Class A Valet, Inc, dba Class A Valet, PO Box 50377, Minneapolis, for a Valet License to expire April 1, 2009, subject to the following conditions:

- 1. Class A Valet agrees that should they or their staff be found guilty of violating traffic or valet ordinances within two years of signing of this agreement while providing valet parking services at Visage, 400 3rd Av N, they shall withdraw their application for valet parking at Visage forthwith.
- 2. Class A Valet will provide Licensing with a copy of a signed agreement between themselves and Visage prior to Licensing granting permission to Class A Valet to provide valet parking services at Visage.
 - 3. The above-mentioned agreement shall contain the following provisions:
 - a. "In exchange for receiving valet parking services at 400 3rd Av N from Class A Valet, Mangos Enterprises, LLC, dba Visage agrees that no owner, manager or employee will insist on, request, encourage, agree to, condone, or in any way sanction any violations of law or ordinance by Class A Valet; most specifically, violations of the Minneapolis Code of Ordinances governing valet operations, which includes but is not limited to:
 - i. Parking patrons' vehicles on a public street or allowing vehicles to remain in the valet zone longer than 15 minutes (aka "rock-starring" "flash" cars).
 - ii. Violate any traffic law including double parking, obstructing traffic or speeding.
 - iii. Failure to ensure that a supervisor is at the zone at all times during hours of operation.
 - iv. Failure to provide adequate staffing to ensure that vehicles do not remain in the valet zone for longer than 15 minutes.
 - b. In exchange for receiving valet parking services at 400 3rd Av N from Class A Valet, Mangos Enterprises, LLC, dba Visage will provide a copy of these conditions, along with an explanation, to all staff of Visage who are in a position of contact with valet staff."
- 4. Class A Valet will develop a training manual for staff which shall include a copy of these conditions, a copy of the valet ordinance, and basic responsibilities of valets; and shall provide a copy to Licensing within two weeks of the signing of these conditions. Class A Valet will provide ongoing training to all valet staff on how to operate the valet safely and in compliance with all laws.
- 5. Failure by either party to adhere to the conditions portion of their business agreement will result in the suspension of valet parking services for Visage by Class A Valet.
 - 6. final inspection and compliance with all provisions of applicable codes and ordinances. Adopted 9/26/2008.

Absent - Glidden.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 9/26/2008. Yeas, 11; Nays, 1 as follows:

Yeas - Colvin Roy, Remington, Benson, Goodman, Hodges, Samuels, Gordon, Ostrow, Schiff, Lilligren, Johnson.

Nays - Hofstede.

Absent - Glidden.

Resolution 2008R-412, granting applications for Liquor, Wine and Beer Licenses, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-412 By Samuels

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 273029):

Off-Sale Liquor, to expire October 1, 2009

DTB Corporation, dba Greenway Liquor, 105 W Grant St

Aramark Food Service LLC, dba Aramark Food Service LLC, 500 11th Av S

Dinkytown Wine & Spirits Inc, dba Dinkytown Wine & Spirits, 1412 5th St SE

Gawron's Liquors Inc, dba River Liquors, 2435 Marshall St NE

Skol Inc, dba Skol Liquors, 2500 27th Av S

Meka Inc, dba Minnehaha Liquor, 2613 E Lake St

JPOC Inc, dba Union Liquor Store, 3219 Penn Av N

East Lake Liquor & Deli Inc, dba East Lake Liquor & Deli, 3916 E Lake St

France 44 Liquors Inc, dba France 44 Wines & Spirits, 4351 France Av S

McDonalds Liquor Inc., dba McDonalds Liquor Store, 5010 34th Av S

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2009

Drink Inc, dba Drink, 26 5th St N

City Center Hotel Ltd Partnership, dba Marriott City Center Minneapolis, 30 S 7th St

Fine Line Music Ventures Inc, dba Fine Line Music Cafe, 318 1st Av N

Del SFA Inc, dba Sound Bar, 414 3rd Av N

Aramark Food Service LLC, dba Aramark Food Service LLC, 500 11th Av S

Aramark Food Service LLC, dba Aramark Food Service LLC, 600 1st Av N

Koch Group Mpls LLC, dba R Normans, 700 Hennepin Av

80 S 8th St Hotel Operations Inc, dba Windows on Minnesota, 701 Nicollet Mall, 50th Floor

Lee Consultants Ltd, dba Sticks, 708 1st St N

Dakota Cooks LLC, dba Dakota Jazz Club & Restaurant, 1010 Nicollet Mall

Minnesota Orchestral Association, dba Orchestra Hall, 1111 Nicollet Mall

Western Host Inc, dba Four Points by Sheraton-Minneapolis Metrodome, 1330 Industrial Blvd

Seven Corners Hotel Partners Ltd, dba Holiday Inn Metrodome, 1500 Washington Av S

Old Chicago of Colorado Inc, dba Old Chicago, 2841 Hennepin Av

Wild Entertainment Ltd, dba Ground Zero/The Front, 15 4th St NE

On-Sale Liquor Class B with Sunday Sales, to expire October 1, 2009

Bulldog NE Inc, dba Bulldog Restaurant NE, 401 E Hennepin Av

SHG Minneapolis LLC, dba Embassy Suites Minneapolis – Downtown, 425 S 7th St

Red Rocket LLC, dba The 508, 508 1st Av N

JLB LLC, dba The Loop, 606 Washington Av N

Campus Partners Inc., dba Sally's, 712 Washington Av SE

Restaurants Unlimited Inc, dba Walker Room, 825 Hennepin Av, #245

Solera Restaurant Holdings LLC, dba Solera Restaurant, 900 Hennepin Av

Library IV Ltd LLP, dba Library Minneapolis (The), 1301 4th St SE

Cheema Restaurant LLC, dba India House, 1400 Nicollet Av

Minneapolis Aerie #34 F O E, dba Minneapolis Aerie #34, FOE, 2507 E 25th St

Pi Group LLC, dba Pi Bar & Restaurant, 2532 25th Av S

Catering Central Inc, dba Bridgewood Cafe, 3001 Broadway St NE

On-Sale Liquor Class C-1 with Sunday Sales, to expire October 1, 2009

1st Avenue Entertainment Group Inc, dba Shout House, 600 Hennepin Av, #100

Local LLC, dba Local An Epurican Cafe & Pub, 931 Nicollet Mall

Brit's Pub & Eating Establishment, 1110 Nicollet Mall

Schooner Inc, Schooner Tavern, 2901 27th Av S, 1st floor

Mirviss Israel, dba Sunny's, 2944 Chicago Av

On-Sale Liquor Class C-2 with Sunday Sales, to expire October 1, 2009

J D Hoyt's Inc, dba J D Hoyt's, 301 Washington Av N

Two Mac Inc, dba Mackenzie, 918 Hennepin Av

G & K Vegas Inc, dba Vegas Lounge, 965 Central Av NE, 1st floor

News Room Inc, dba News Room, 990 Nicollet Mall

Creative Restaurants Inc., dba Bullwinkles, 1429 Washington Av S, 1st floor

La Perla Del Pacifico Inc, dba La Perla Del Pacifico, 6009 Nicollet Av

On-Sale Liquor Class E with Sunday Sales, to expire January 1, 2009

Zelo Inc., dba Zelo, 831 Nicollet Mall (new shareholder and corporate officer)

On-Sale Liquor Class E with Sunday Sales, to expire October 4, 2008

Club 46 Inc, dba Rachael's Club 46, 4601 Lyndale Av N (temporary expansion of premises, Rachael's Birthday Party at Club 46 Inc, October 4, 2008, Noon to Midnight)

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2009

Buca (Minneapolis) Inc, dba Buca Di Beppo, 1204 Harmon PI, #1

On-Sale Liquor Class E with Sunday Sales, to expire October 1, 2009

Ike's LLC, dba Ike's Food & Cocktails, 50 S 6th St

PFC Systems Inc, dba Burrito Loco, 418 13th Av SE

Loon Cafe Inc, dba Loon Cafe, 500 1st Av N

Morton's of Chicago/Minneapolis Inc. dba Morton's of Chicago, 555 Nicollet Mall

Fuji Two Inc, dba Fuji Ya Restaurant, 600 W Lake St

Manhattan LLC, dba Manhattans Martini Bar, 800 LaSalle Av, #130

McCormick & Schmick Restaurant Corp, dba McCormick & Schmicks Seafood Restaurant, 800 Nicollet Mall)

Restaurants Unlimited Inc, dba Palomino, 825 Hennepin Av

Masa LLC, dba Masa, 1070 Nicollet Mall

Maxwell's Operations LLC, dba Maxwells American Cafe, 1201 Washington Av S

Dusty's Inc, dba Dusty's Bar, 1319 Marshall St NE

Levit Holdings Ltd, dba Ichiban Japanese Steakhouse, 1333 Nicollet Mall

Haracz Inc, dba Jimmy's Bar & Lounge, 1828 4th St NE

Glenda Corporation, dba Mortimer's Bar & Restaurant, 2001 Lyndale Av S

Sumick Inc, dba Lyle's Bar & Restaurant, 2021 Hennepin Av

Haze 2 Group, dba Grumpy's Bar, 2200 4th St NE

Tri Franklin LLC, dba Tracy's Saloon & Eatery, 2205 E Franklin Av

Tony Jaros' River Gardens Inc, dba Tony Jaros' River Gardens, 2500 Marshall St NE

Uptown Brewing Company LLC, dba Herkimer Pub & Brewery, 2922 Lyndale Av S

On-Sale Liquor Class E, to expire October 1, 2009

Halek's Inc, dba Halek's Bar, 2024 Washington Av N

Stand Up Frank's Inc, dba Stand Up Franks, 2027 2nd St N, 1st floor

Temporary On-Sale Liquor

St. Paul Jaycees, dba St. Paul Jaycees, 401 Robert St, Suite 150, St. Paul (Fundraiser/German Heritage Celebration, September 12, 2008, 4:00 p.m. to 9:00 p.m.; September 13, 2008, 11:00 a.m. to 9:00 p.m.

MN Fashion/Springboard for the Arts, dba MN Fashion/Springboard for the Arts, PO Box 2958 (September 20, 2008, 8:00 p.m. to 2:00 a.m. at 509 1st Av NE; Licensed Facilitator: Miss Jimmy Inc)

On-Sale Wine Class E with Strong Beer, to expire April 1, 2009

Black Sheep Coal Fired Pizza LLC, dba Black Sheep Coal Fired Pizza, 600 Washington Av N (new business)

Off-Sale Beer

Abbaa Senaa LLC, dba Cedar Country Boy, 4164 Cedar Av S

Temporary On-Sale Beer

St. Marks Episcopal Cathedral, dba St. Marks Episcopal Cathedral, 519 Oak Grove St (October 18, 2008, 3:00 p.m. to 9:00 p.m.).

Adopted 9/26/2008. Yeas, 11; Nays, 1 as follows:

Yeas - Colvin Roy, Remington, Benson, Goodman, Hodges, Samuels, Gordon, Ostrow, Schiff, Lilligren, Johnson.

Nays - Hofstede.

Absent - Glidden.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.

Adopted 9/26/2008.

Absent - Glidden.

Resolution 2008R-413, granting the applications for Business Licenses, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-413 By Samuels

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of September 26, 2008 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 273029):

Car Wash; Confectionery; Grocery; Food Manufacturer; Food Market Manufacturer; Restaurant; Food Shelf; Short-Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Fuel Dealer Cash & Carry Only; Gasoline Filling Station; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory Use; Towing Class B; Towing Class D; Commercial Parking Lot Class A; Commercial Parking Lot Class B; Rental Halls; Secondhand Goods Class B; Solid Waste Hauler; Swimming Pool – Public; Taxicab Vehicle – Fuel Efficient; Taxicab Vehicle; Taxicab Vehicle – Non-Transferable.

Adopted 9/26/2008.

Absent – Glidden.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Gambling Licenses.

Adopted 9/26/2008.

Absent – Glidden.

Resolution 2008R-414, granting applications for Gambling Licenses, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-414 By Samuels

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 273029):

Gambling Exempt

Church of St. Helena/School, dba Church of St. Helena/School, 3204 E 43rd St (Bingo, Raffle and Pulltabs September 12, 13 & 14, 2008 at 43rd & 44th St betw 32nd and 33rd Avs)

Church of the Annunciation, dba Church of the Annunciation, 509 W 54th St (Bingo & Raffle September 19 – 21, 2008)

Emergency Nurses Association, dba Emergency Nurses Association, 915 Lee St, Des Plaines, IL (Raffle September 24, 2008 at Nicollet Island Pavilion, 40 Power St)

Childrens Heartlink, dba Childrens Heartlink, 5075 Arcadia Av (Raffle

September 26, 2008 at Hilton Minneapolis, 1001 Marquette Av)

Emergency Nurses Association, dba Emergency Nurses Association, 915 Lee St, Des Plaines, IL (Raffle September 26, 2008 at Minneapolis Convention Center)

One Heartland, dba One Heartland, 1221 Nicollet Av, #501 (Raffle October 9, 2008)

March of Dimes Foundation, dba March of Dimes Foundation, 5233 Edina Industrial Blvd, Edina (Raffle October 16, 2008 at Epic Event Center, 110 5th St N)

Greg Frankenfield, dba Smile Network International, 420 N 5th St, Suite 970 (Raffles September 20, 2008 at Crown Center, 1323 Tyler St NE)

Hope Chest for Breast Cancer Foundation, dba Hope Chest for Breast Cancer Foundation, 3850 Shoreline Dr S, Wayzata (Raffle October 2, 2008 at Epic Event Center, 110 5th St N)

Hope Chest for Breast Cancer Foundation, dba Hope Chest for Breast Cancer Foundation, 3850 Shoreline Dr S, Wayzata (Raffle October 3 – 5, 2008 at Minneapolis Convention Center).

Adopted 9/26/2008.

Absent - Glidden.

PS&RS - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the Restaurant License held by Sharing and Caring Hands, 525 7th St N.

Adopted 9/26/2008.

Absent - Glidden.

Resolution 2008R-415, approving License Settlement Conference recommendations relating to the Restaurant License held by Sharing and Caring Hands, 525 7th St N, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-415 By Samuels

Approving License Settlement Conference recommendations relating to the Restaurant License held by Sharing and Caring Hands, 525 7th St N.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on April 25, 2008 with the licensee; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that concluded that continued preventative action by the licensee is required to combat potential criminal activity and to meet the minimum standards required to hold a license;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

- 1. That the licensee and the Minneapolis Police Department shall continue to work collaboratively to develop and implement an effective, enduring, and mutually agreed upon strategy to prevent criminal activity on the business premises; and reduce nuisance crimes in the area immediately surrounding the business premises.
- 2. That the aforementioned strategy shall be memorialized in a comprehensive security plan which shall incorporate, and expand upon, both the licensee's current written plan and the Minneapolis Police Department's Proposed Security Measures. The plan shall specifically and thoroughly address: the designation of a primary security liaison; security camera monitoring; audio speaker procedures; employee criminal history background checks; the number and type of security personnel; scope of interior and exterior patrols; increased safety measures at entrances and exits; utilization of volunteers; employee attendance at security seminars and trainings; trespass enforcement; and the timely response to Community Impact statements and Police Department bulletin requests.
- 3. The licensee shall submit its finalized security plan to the Department of Licensing and the Minneapolis Police Department prior to the signing of this document.
- 4. Following the adaptation of the security plan, the licensee or designee shall continue to meet with the Minneapolis Police at regular intervals, at the direction of, and with the dates set forth, by the First Precinct liaison. These meetings shall take place no less than once every eight weeks for a period of one year, and quarterly thereafter, with the stated goal to assess the effectiveness of the newly developed crime prevention strategy, and to revise the plan as needed.

Adopted 9/26/2008.

Absent - Glidden.

PS&RS - Your Committee, having under consideration a resolution approving License Settlement Conference recommendations relating to the On-Sale Liquor Class A with Sunday Sales License held by El Nuevo Rodeo Restaurant, 2709 E Lake St, now recommends that said resolution be sent forward without recommendation.

Schiff moved to amend the report by deleting the language, "sent forward without recommendation" and inserting in lieu thereof, "adopted." Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 9/26/2008.

Absent - Glidden.

Resolution 2008R-416, approving License Settlement Conference recommendations relating to the On-Sale Liquor Class A with Sunday Sales License held by El Nuevo Rodeo Restaurant, 2709 E Lake St, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-416 By Samuels

Approving License Settlement Conference recommendations relating to the On-Sale Liquor Class A with Sunday Sales License held by El Nuevo Rodeo Restaurant, 2709 E Lake St.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on June 18, 2008 with the licensee; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that concluded that

- a. an employee at El Nuevo Rodeo was found drinking an alcoholic beverage after 2:30 a.m. on the licensed premises;
- b. that a prior License Settlement Conference on March 26, 2008 was not settled prior to the current License Settlement Conference;
- c. that police reports were inconclusive that clientele of El Nuevo Rodeo Restaurant were involved in three shootings that occurred near El Nuevo Rodeo;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

- 1. The Minneapolis Licenses & Consumer Services Division will impose a \$500 sanction due at the time of signing of the agreement.
- 2. The licensee shall adjust the security/alcohol service policy to reflect that no one shall consume alcohol on the premises after 2:30 a.m. and before 8:00 a.m. all days of the week, except Sundays when no consumption is allowed before 10:00 a.m.
- 3. The licensee shall provide a current and approved security/alcohol service policy to Licensing, due at time of signing of this agreement.
- 4. The licensee shall follow the submitted security/alcohol service policy that has been approved by Licensing.
- 5. The licensee shall employ security personnel at a ratio of one security guard per 50 patrons and one off-duty Minneapolis police officer. The licensee shall employ two off-duty Minneapolis police officers on nights when the expected attendance is 700 or more.
- 6. The licensee will attend a police training that focuses on learning about gangs in the City of Minneapolis, through Police Licensing, provided by Minneapolis Police Department personnel by October 1, 2008.
- 7. The licensee will remove all patrons under 18 years of age by 10:00 p.m. every night, unless they are accompanied by a responsible guardian. The licensee will have the responsible guardian sign a responsibility form.
- 8. One of the security personnel for the licensee will be stationed in the US Bank parking lot from 9:00 p.m. to 3:00 a.m. looking for loitering, drinking in cars, fighting, etc. Security must call 911 when crimes are witnessed.
- 9. El Nuevo Rodeo currently has 16 security cameras with digital recorders with 45 days retention. Management will purchase and install 12 more cameras by September 30, 2008. El Nuevo Rodeo will provide copies of digital recordings to the Division of Licenses & Consumer Services or Minneapolis Police if required to assist in a criminal or civil investigation and subject to receipt of a subpoena or an order from a court of law requesting the disclosure. The Management will provide a map with the locations of where all the cameras are located by September 15, 2008.
- 10. The licensee will post a sign at the main entrances of El Nuevo Rodeo saying that they ban guns and weapons on their premises.
- 11. The licensee will purchase a metal detection wand for scanning patrons by August 31, 2008. All patrons entering the facility will be wanded before entering. Patrons with guns, knives and weapons will be denied entry.
- 12. The licensee will make sure that patrons leaving the restaurant do not carry beverage bottles outside of the establishment.
- 13. The licensee will have door staff monitor the actual number of patrons under 21 years of age in the establishment.
- 14. The licensee will attend at least one Downtown Bar Meeting or LINC Meeting in the next two months after signing this agreement. Inspector will provide dates and times to Licenses.

Adopted 9/26/2008.

PS&RS - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to Confectionery and Tobacco Dealer Licenses held by Holy Moly Smoke and Candy Shop, 1600 W Broadway.

Adopted 9/26/2008.

Absent - Glidden.

Resolution 2008R-417, approving License Settlement Conference recommendations relating to Confectionery and Tobacco Dealer Licenses held by Holy Moly Smoke and Candy Shop, 1600 W Broadway, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-417 By Samuels

Approving License Settlement Conference recommendations relating to Confectionery and Tobacco Dealer Licenses held by Holy Moly Smoke and Candy Shop, 1600 W Broadway.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on August 19, 2008 with the licensee; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that concluded that Holy Moly Smoke and Candy Shop has experienced a high amount of police calls for service due to excessive loitering and illegal activities occurring in the vicinity of the business;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the business licenses held by Holy Moly Inc be henceforth maintained subject to the following set of operating conditions mutually agreed upon. It is further agreed upon that by signing the following license conditions, the licensee understands that any operations in violation of said conditions will result in additional adverse license actions which may include revocation, suspension, or denial of renewal of all business licenses held at this location.

- 1. "No Trespassing" signs will remain clearly posted on the exterior of the business. Store staff will immediately ask people that are observed loitering in the immediate vicinity of the store to leave. If the loitering activity persists, staff will call 911 and request police assistance to alleviate the loitering activity. The business agrees to cooperate fully in the prosecution of criminal activity.
- 2. The business agrees not to sell items which are commonly used by drug users and drug dealers. These items include bongs, glass pipes (sometimes with roses inside), Brillo Pads or Chore Boy products, tobacco pipes, small zip lock bags also known as jewelry bags, and single use tobacco products to include rolling papers. The business will also agree not to supply matches to non-tobacco customers.
 - 3. The business agrees not to sell single cigars.
 - 4. The business agrees to keep all exterior and interior lights illuminated and functioning properly.
- 5. All windows will be free of signs and other items that block the view in and out, as is specified in Minneapolis Ordinance 543.350.
- 6. Owner shall comply with the Surveillance Camera Ordinance 259.230. Additionally, the business will install two exterior cameras.
- 7. The business agrees to clean the property, and all areas within 100 feet of the property line, of litter and trash twice daily. The business shall maintain a litter receptacle in front of the business that is convenient for customer use.
- 8. Refuse shall be stored in a regularly services, closed container (dumpster) that shall be maintained screened from view as is required by Minneapolis Codes. At no time shall this refuse container be overfilled so that the cover cannot be completely closed at all times.
- 9. The business shall remain in compliance with all ordinances and notices from the Environmental Health Division.

- 10. The fence on the western property line shall be repaired and maintained to a professional state with no gaps or areas of egress.
- 11. The business agrees to hire security staff at least four hours per day and four days a week, three of them being Thursday, Friday and Saturday.

Adopted 9/26/2008.

Absent - Glidden.

PS&RS – Your Committee, having under consideration the property located at 2733 Penn Av N; and the Inspections Division having determined that the property meets the definition of a nuisance under the meaning of Chapter 249 of the Minneapolis Code of Ordinances; and a notice of the Director's Order to Demolish the property was issued to the property owner; and a hearing having been held by the Nuisance Condition Process Review Panel on August 14, 2008, now recommends concurrence with the recommendation of the Panel to uphold the Order to Demolish the property, and approval of the Findings of Fact, Conclusions and Recommendations, which are on file in the Office of the City Clerk and hereby made a part of this report by reference.

Adopted 9/26/2008.

Absent - Glidden.

PS&RS-Your Committee, having under consideration the Rental Dwelling License held by David Marks for the property located at 1734 Como Av SE, now recommends concurrence with the recommendation of the Director of Inspections that said license be revoked for failure to meet licensing standards pursuant to Section 244.1910 (3) of the Minneapolis Code of Ordinances relating to illegal occupancy, as more fully set forth in Findings of Fact which are on file in the Office of the City Clerk and hereby made a part of this report by reference.

Adopted 9/26/2008.

Absent - Glidden.

$\label{thm:committees} The \mbox{PUBLIC SAFETY \& REGULATORY SERVICES} \ and \mbox{WAYS \& MEANS/BUDGET Committees} \\ submitted the following reports:$

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a Memorandum of Understanding with the United States Attorney for the District of Columbia and the Metropolitan Police Department of Washington, D.C. for Minneapolis Police Department personnel to participate on the Presidential Inauguration Task Force in the Washington, D.C. area between January 15 and 21, 2009.

Adopted 9/26/2008. Yeas, 11; Nays, 1 as follows:

Yeas - Colvin Roy, Remington, Benson, Goodman, Hodges, Samuels, Hofstede, Ostrow, Schiff, Lilligren, Johnson.

Nays - Gordon.

Absent - Glidden.

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a grant agreement with Fox Valley Technical College, Appleton, WI, for the Police Department to provide independent consulting assistance, at a cost of \$235,000, to assist with the deliverance of outcomes regarding the Indian Crime Awareness, Research and Evaluation "Project" to create a network that will collect and track crime in tribal communities. Further, passage of the accompanying resolution appropriating \$235,000 to the Police Department.

Adopted 9/26/2008.

Absent - Glidden.

RESOLUTION 2008R-418 By Samuels and Ostrow

Amending The 2008 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants – Federal Fund (01300-4003130-321010) by \$235,000. Adopted 9/26/2008.

Absent - Glidden.

PS&RS & W&M/Budget — Your Committee recommends that the proper City officers be authorized to execute an agreement with the Metropolitan Sports Facilities Commission for the City to receive reimbursement in the amount of \$113,483.27 for providing security and perimeter management services by the Public Works and Police Departments at the Metrodome during the 2007 Vikings football season. Further, passage of the accompanying resolution appropriating \$38,217.12 to the Public Works Department and \$75,266.15 to the Police Department.

Adopted 9/26/2008.

Absent - Glidden.

RESOLUTION 2008R-419 By Samuels and Ostrow

Amending The 2008 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended as follows:

- a. increasing the appropriation for the Public Works Agency in the General Fund (0100-607055-345501) by \$38,217.12.
- b. increasing the appropriation for the Police Department Agency in the General Fund (00100-4004100-345501) by \$75,266.15.

Adopted 9/26/2008.

Absent - Glidden.

PS&RS & W&M/Budget – Your Committee recommends that the proper City officers be authorized to accept \$75,000 and execute a grant agreement with Minnesota Homeland Security and Emergency Management for use by the Police Department Bomb Disposal Unit. Further, passage of the accompanying resolution appropriating \$75,000 to the Police Department.

Adopted 9/26/2008.

Absent - Glidden.

RESOLUTION 2008R-420 By Samuels and Ostrow

Amending The 2008 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants – Federal Fund (01300-4002750-321010) by \$75,000. Adopted 9/26/2008.

Absent - Glidden.

PS&RS & W&M/Budget – Your Committee, having under consideration Official Publication #6962, bids for weed cutting and related services in the South District, now recommends the following:

- a. Rescind the July 11, 2008 action to accept the low bid of Over the Top, Inc, due to lack of compliance with the requirement that the contract be returned to the City within 20 days.
- b. Accept the lowest responsive bid on OP #6962 submitted by Emerge, for an estimated expenditure of \$80,000 to furnish and deliver all labor, materials, equipment and incidentals necessary for weed cutting and related services as needed and directed through May 29, 2009 for the South District, all in accordance with City specifications. Bidder offers to extend for 12 months at the sole

option of the City of Minneapolis at the priced bid. Further, that the proper City Officers be authorized to execute a contract for said service.

Adopted 9/26/2008.

Absent - Glidden.

PS&RS & W&M/Budget – Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals for contractors to perform the process necessary for promotional testing/selection of candidates for Sergeant and Lieutenants for the Minneapolis Police Department.

Adopted 9/26/2008.

Absent - Glidden.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee, having under consideration proposed assessments for water and sewer service line repairs or replacements, and having held a public hearing thereon, now recommends that the property located at 1903 38th St E (PID 12-028-24-22-0034) be removed from the assessment list pending further investigation by staff.

Your Committee further recommends passage of the accompanying resolution adopting and levying the assessments for water and sewer service line repairs or replacements on the lists of properties set forth in Petn No 273034 on file in the office of the City Clerk.

Colvin Roy moved that the resolution be amended by adding the following change to the Sewer Service Line Assessment List:

That the proposed sewer service line assessment for the property identified as 1903 38th St E, Property ID 12-028-24-22-0034, be returned to the assessment list, and that the assessment be reduced by one-half. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 9/26/2008.

Absent - Glidden.

Resolution 2008R-421, adopting the assessments, levying the assessments and adopting the assessment rolls for the repair and construction of public sidewalks on the list of properties set forth in Petn No 273034, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-421 By Colvin Roy

Adopting the assessments, levying the assessments, and adopting the assessment rolls for water and sewer service line repairs or replacements on the lists of properties set forth in Petn No 273034.

Whereas, a public hearing was held on September 16, 2008, in accordance with Section 509.465 of the Minneapolis Code of Ordinances to consider the proposed assessments as shown on the proposed assessment rolls on file in the office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proposed assessments against the affected properties on the Water Service Line Repair List, dated September 4, 2008, set forth in Petn No 273034 in the total amount of \$460,269.70 as shown on the proposed assessment roll on file in the office of the City Clerk hereby are adopted and levied;

That the proposed sewer service line assessment for the property identified as 1903 38th St E, Property ID 12-028-24-22-0034, be reduced by one-half from \$6,270 to \$3,135;

That the proposed assessments against the affected properties on the Sewer Service Line Repair List, dated September 4, 2008, set forth in Petn No 273034 in the total amount of \$70,988.50 as shown on the proposed assessment roll on file in the office of the City Clerk, be revised to \$67,853.50 as a result of the above reduction, and hereby are adopted and levied.

Be It Further Resolved that the assessments be collected in five (5) successive equal annual principal installments beginning on the 2009 real estate tax statements with interest charged at the rate of 8%.

Be It Further Resolved that the assessment rolls as prepared by the City Engineer be and hereby are adopted and that the City Clerk is hereby directed to transmit certified copies of said assessment rolls to the Hennepin County Auditor.

Adopted 9/26/2008.

Absent - Glidden.

T&PW-Your Committee recommends passage of the accompanying resolution appointing Jeffrey Johnson to serve out the remaining three-year term on the Shingle Creek Watershed Management Commission and serve a new three-year term expiring January 31, 2012.

Adopted 9/26/2008.

Absent - Glidden.

Resolution 2008R-422, appointing Jeffrey Johnson to serve out the remaining three-year term on the Shingle Creek Watershed Management Commission and serve a new three-year term expiring January 31, 2012, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-422 By Colvin Roy

Appointing Jeffrey Johnson to serve out the remaining three-year term on the Shingle Creek Watershed Management Commission and serve a new three-year term expiring January 31, 2012.

Whereas, the City of Minneapolis has entered into a joint powers agreement with the cities of Brooklyn Center, Brooklyn Park, Crystal, Maple Grove, Minneapolis, New Hope, Osseo, Plymouth and Robbinsdale that created the Shingle Creek Watershed Management Commission; and

Whereas, the Shingle Creek Watershed Management Commission agreement commits Minneapolis to appoint a commissioner and an alternate commissioner to serve three year-terms; and

Whereas, the current term of the present Commissioner appointee expires January 31, 2009;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That Jeffrey Johnson, Ward 4, be appointed to serve out the remaining three-year term on the Shingle Creek Watershed Management Commission and serve a new three-year term expiring January 31, 2012.

Adopted 9/26/2008.

Absent - Glidden.

T&PW - Your Committee, having under consideration the 11th Ave S at Lake St E Traffic Calming Project No 9848, now recommends approval of the project layout to install two mid-block speed humps along 11th Ave S between Lake St E and 31st St E, as set forth in Petn No 273034 on file in the office of the City Clerk.

Your Committee further recommends passage of the accompanying resolution ordering the work to proceed on the project.

Adopted 9/26/2008.

Resolution 2008R-423, directing the installation of two mid-block speed humps as part of traffic calming improvements in the 11th Ave S at Lake St Project Traffic Calming Project No 9848, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-423 By Colvin Roy

11th AVE S AT LAKE ST TRAFFIC CALMING PROJECT NO 9848

Directing the installation of certain traffic calming improvements at the location described hereinafter and ordering the work to proceed for the 11th Ave S at Lake St Project.

Resolved by The City Council of The City of Minneapolis:

That 11th Ave S between Lake St E and 31st St E within the City of Minneapolis is hereby designated to have two mid-block speed humps installed as a traffic calming improvement, and the City Engineer is hereby directed to proceed and do the work as designated.

Adopted 9/26/2008.

Absent - Glidden.

T&PW - Your Committee, having under consideration the City's policy relating to Sewer Availability Charge (SAC) units, as set forth in Resolution 2004R-473, now recommends approval of the request of the Department of Community Planning and Economic Development to reserve the remaining 121 SAC units from the Heritage Park area for future Heritage Park Redevelopment construction.

Adopted 9/26/2008.

Absent - Glidden.

The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET Committees submitted the following reports:

T&PW & W&M/Budget - Your Committee, having under consideration the Marquette and 2nd Ave Transit Projects as part of the Urban Partnership Agreement Grant, now recommends:

- a) Passage of the accompanying resolution increasing the appropriation and revenue for the project to match the subrecipient agreement with Met Council and adding a state bond local match; and
- b) Passage of the accompanying resolution holding harmless the State of Minnesota from actions that may arise from granting a variance allowing the City of Minneapolis to let bids prior to receiving final State Aid approval of the project.

Adopted 9/26/2008.

Absent - Glidden.

RESOLUTION 2008R-424 By Colvin Roy and Ostrow

Amending The 2008 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation and revenue source for the Marquette Ave and 2nd Ave Transit Projects, as follows:

- a) \$66,400 increase to Fund/Dept 04100-9010000-PV052 and revenue source Fund/Dept: 04100-9010000-3210;
- b) \$3,216,600 appropriated to Fund/Dept 04100-9010000-PV052 and revenue source Fund/Dept: 04100-9010000-3215;

- c) \$66,400 increase to Fund/Dept 04100-9010000-PV053 and revenue source Fund/Dept: 04100-9010000-3210; and
- d) \$3,216,600 appropriated to Fund/Dept 04100-9010000-PV053 and revenue source Fund/Dept: 04100-9010000-3215.

Adopted 9/26/2008.

Absent - Glidden.

Resolution 2008R-425, holding harmless the State of Minnesota from actions that may arise from bidding the Urban Partnership Agreement Marquette Ave and 2nd Ave Transit Projects prior to receiving final State Aid approval, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-425 By Colvin Roy and Ostrow

Holding harmless the State of Minnesota from actions that may arise from bidding the Urban Partnership Agreement Marquette Ave and 2nd Ave Transit Projects prior to receiving final State Aid approval.

Whereas, the City Engineer has been directed to proceed with a formal variance request from State Aid Rule 8820.2800, subpart 2, to permit the bid letting prior to receiving final State Aid approval rather than after approval as required by the rules; and

Whereas, the Commissioner of Transportation may grant said variance:

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis indemnifies, saves, and holds harmless the State of Minnesota and all its agents and employees of and from any and all claims, demands, actions, or causes of action arising out of or by reason of granting this variance, the reconstruction of MSA 141-189-014 and 141-210-019 manner than in accordance with Minnesota Rule 8820.2800 and further agrees to defend at their sole cost and expense any action or proceeding commenced for the purpose of asserting any claim of whatsoever character arising as a result of the granting of this variance, contingent upon approval of the variance by the Commissioner of Transportation.

Adopted 9/26/2008.

Absent - Glidden.

T&PW & W&M/Budget - Your Committee recommends acceptance of the following bids submitted to the Public Works Department:

- a) OP 7004, Accept low bid of Cy-Con, Inc., in the amount of \$128,700, to furnish all labor, materials, equipment, and incidentals necessary for the structural reinforcement at Hilton Ramp, located at 1030 2nd Ave S;
- b) OP 7014, Accept low bid of Schad Tracy Signs, Inc. in the amount of \$42,446, to furnish, deliver, and install internal illumination signs at the Haaf Parking Ramp and the Government Center Parking Ramp; and
- c) OP 7016, Accept low responsive bid of Twell Environmental, Inc., in the amount of \$155,802, to furnish and deliver all labor, materials, equipment, and incidentals necessary to complete the hazardous materials abatement at the Hiawatha Maintenance Facility.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said services, all in accordance with City specifications and contingent upon approval of the Civil Rights Department.

Adopted 9/26/2008.

The WAYS & MEANS/BUDGET Committee submitted the following reports:

W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing the settlement of legal matters, as recommended by the City Attorney.

Adopted 9/26/2008.

Absent - Glidden.

Resolution 2008R-426, authorizing settlement of *Nicole and Tyra Chivers v. City of Minneapolis,* subrogation claim of Allstate Insurance Company, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-426 By Ostrow

Authorizing legal settlement.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with the settlement of *Nicole and Tyra Chivers v. City of Minneapolis*, subrogation claim of Allstate Insurance Company, by payment of \$3,062.39 to Allstate Insurance Company, from the Internal Service Self Insurance Fund (06900-1500100-145400).

Further, authorize the City Attorney's Office to execute any documents necessary to effectuate the settlement.

Adopted 9/26/2008.

Absent - Glidden.

W&M/Budget - Your Committee recommends authorizing the City Attorney's office to amend the current contract (C-21974) for courier services with You've Been Served, increasing the total compensation by an additional \$14,000 and extending the contract term until January 31, 2009.

Adopted 9/26/2008.

Absent - Glidden.

W&M/Budget - Your Committee recommends authorizing the City Attorney's office to issue a Request for Proposals (RFP) to obtain online, electronic legal research services for use by members of the City Attorney's Office and by the Department of Civil Rights.

Adopted 9/26/2008.

Absent - Glidden.

W&M/Budget - Your Committee recommends concurrence with the recommendation of the City Attorney, for reimbursement of legal fees, by payment of \$4,240.36 to Frederic Bruno and Associates, from the Internal Service Self Insurance Fund (06900-1500100-145400) for legal services provided to Officers Dante Dean, Brian Grahme, Shawn Kelly, Oscar Macias, Terry Nutter and Derek Chauvin.

Adopted 9/26/2008.

Absent - Glidden.

W&M/Budget - Your Committee recommends approval of the following eight charitable campaign federations to participate in the 2008 City of Minneapolis Charitable Campaign.

- a) Community Solutions Fund;
- b) Community Health Charities;
- c) Hennepin History Museum;
- d) Open Your Heart to the Hungry and Homeless;
- e) United Negro College Fund;
- f) United Arts;
- g) Minnesota Environmental Fund; and

h) United Way of Minneapolis Area.

Adopted 9/26/2008.

Absent - Glidden.

W&M/Budget — Your Committee, having under consideration the appointments of City representatives to the Minneapolis Police Relief Association (MPRA) Board of Directors, now recommends the reappointment of LeaAnn M. Stagg, Treasury Director and Rebecca Law, Management Analyst as recommended by the City Finance Officer for a term January 1, 2009 through December 31, 2010; and that the City will defend and indemnify them in accordance with the City's adopted defense and indemnification policy.

Adopted 9/26/2008.

Absent - Glidden.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to enter into a one-year Master Contract agreement, allowing for two one-year extension options with Brinks, Inc., to provide Meter Coin Armored Car Services; contract agreement shall not exceed \$75,000.

Adopted 9/26/2008.

Absent - Glidden.

W&M/Budget - Your Committee, to whom was referred an ordinance amending Title 2, Chapter 12, Article XI of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, by amending section 20.900 to extend the COBRA health and dental benefits expiration dates to December 31, 2011, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 9/26/2008.

Absent - Glidden.

Ordinance 2008-Or-076, amending Title 2, Chapter 12 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, by amending Section 20.900 to extend the COBRA health and dental benefits expiration dates to December 31, 2011, was adopted 9/26/2008 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2008-Or-076
By Ostrow
Intro & 1st Reading: 9/12/2008
Ref to: W&M/Budget
2nd Reading: 9/26/2008

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 20.900 of the above-entitled ordinance be amended to read as follows: **20.900. Insurance continuation.** All employees whose positions are eliminated pursuant to this ordinance and who are laid off shall be provided the following with respect to COBRA continuance of medical and dental insurance:

(1) If an employee elects to continue medical insurance through COBRA, the city shall pay one hundred (100) percent of the premium for medical insurance for the first six (6) months of COBRA continuance at the level of coverage, single or family, in effect on the date of the layoff and for the medical plan in effect on the date of the layoff. (2) If an employee elects to continue dental insurance through COBRA, the city shall pay one hundred (100) percent of the premium for dental insurance for the first six (6) months of COBRA continuance at the level of coverage, single or family, in effect on the date of the layoff and for the dental plan in effect on the date of the layoff.

The terms of section 20.900 relating to the continuation of insurance benefits will expire on December 31, 200811. The city council must take specific action to extend the terms of section 20.900 relating to the continuation of insurance benefits if the city council wants those specific insurance benefits to apply to laid off employees after December 31, 200811.

Adopted 9/26/2008.

Absent - Glidden.

W&M/Budget - Your Committee, having under consideration the City of Minneapolis' Family Medical Leave Act (FMLA) Policy and Procedures, now recommends the following:

- a) Approve revisions to the Policy, as set forth in Petn No 27303;
- b) Receive and file the Procedures; and
- c) Direct the Human Resource Department to place the Policy and Procedures in the Policy Library. Adopted 9/26/2008.

Absent - Glidden.

W&M/Budget - Your Committee recommends passage of the accompanying resolutions approving terms of the following collective bargaining agreements:

- a) Teamsters, Local 320, Convention Center Unit, effective January 1, 2008 through December 31, 2010.
- b) Minneapolis Professional Employees Association, effective January 1, 2008 through December 31, 2010.
- c) AFSCME, Council 5, Local 9 Attorney's Unit, effective January 1, 2007 through December 31, 2008.

Adopted 9/26/2008.

Absent - Glidden.

Resolution 2008R-427, approving a 3-year labor agreement with Teamsters, Local 320, Convention Center Unit, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-427 By Ostrow

Approving the terms of a collective bargaining agreement with the Teamsters, Local 320, Convention Center Unit and authorizing execution and implementation of said agreement.

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the Teamsters, Local 320, Convention Center Unit (Petn No 273039), be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted 9/26/2008.

Resolution 2008R-428, approving a 3-year labor agreement with the Minneapolis Professional Employees Association, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-428 By Ostrow

Approving the terms of a collective bargaining agreement with the Minneapolis Professional Employees Association and authorizing execution and implementation of said agreement.

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the Minneapolis Professional Employees Association (Petn No 273039), be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted 9/26/2008.

Absent - Glidden.

Resolution 2008R-429, approving a 2-year labor agreement with the AFSCME, Council 5, Local 9 Attorney's Unit, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-429 By Ostrow

Approving the terms of a collective bargaining agreement with the AFSCME, Council 5, Local 9 Attorney's Unit and authorizing execution and implementation of said agreement.

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the AFSCME, Council 5, Local 9 Attorney's Unit (Petn No 273039), be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted 9/26/2008.

Absent - Glidden.

W&M/Budget – Your Committee, having under consideration recommended changes by the Benefits Sub-Committee Citywide Labor Management Committee (the CLMC) relating to the City of Minneapolis' Medical, HRA/VEBA and Dental Plans, now recommends approval of said changes, as set forth in Petn No 273039 on file in the Office of the City Clerk.

Adopted 9/26/2008.

The ZONING & PLANNING Committee submitted the following reports:

Z&P-Your Committee, having under consideration the appeal filed by Lisa Niforopulos and Warner Bruntjen from the decision of the Board of Adjustment which granted the application of Ian Campbell on behalf of Ayla Reed for five variances to allow for a new detached garage, at 813 Kenwood Parkway, now recommends, notwithstanding the recommendation of staff, that said appeal be granted in part, and the application for a variance to reduce the southeast interior sideyard from 5 feet to 2 feet be denied, in accordance with the Findings of Fact prepared by the City Attorney's Office and on file in the Office of the City Clerk and made a part of this report by reference.

Your Committee further recommends that said appeal be denied in part, the decision of the Board of Adjustment upheld, and the findings prepared by the Department of Community Planning & Economic Development staff adopted, in granting the following applications:

- a) a variance to allow a detached garage to be constructed between the principal structure and the front lot line;
- b) a variance to allow a detached garage to be constructed that is not located entirely to the rear of the principal residence;
- c) a variance to reduce the front yard setback along Kenwood Parkway from the setback established by connecting a line between the two adjacent residential structures to the modified distance of 11 feet; and
- d) a variance to increase the maximum permitted width of a driveway from 25 feet to 27 feet, 6 inches, subject to conditions recommended by the Zoning Board of Adjustment that:
 - 1) No vehicles shall be parking in the driveway as to obstruct pedestrian traffic on the public sidewalk; and
 - 2) Exterior materials of the detached garage shall be similar to the exterior materials of the principal residential structure;
 - 3) Garage and primary residential structure remain detached;
 - 4) Curb cut must be approved by City of Minneapolis Public Works Department;
 - 5) The Planning Division shall review and approve the final site and elevation plans that measure an architectural or engineering scale;

And placing an additional condition that:

6) The applicant be directed to work with staff to include the use of pervious pavers for the driveway.

Adopted 9/26/2008.

Absent - Glidden.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Open Arms of Minnesota (BZZ-4146) to rezone the properties at 1511 25th Street East and 2500, 2504, 2508 and 2510 Bloomington Ave from C1 to the C2 District and to add the TP Overlay District to the underlying R2B District for the properties at 2514, 2518 and 2520 Bloomington Ave, to permit construction of a 2-story structure to be utilized for a catering use and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 9/26/2008.

Absent - Glidden.

Ordinance 2008-Or-077 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the properties at 1511 25th Street East and 2500, 2504, 2508 and 2510 Bloomington Ave to the C2 District, and adding the TP Overlay District to the properties at 2514, 2518 and 2520 Bloomington Ave, was adopted 9/26/2008 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2008-Or-077 By Schiff 1st & 2nd Readings: 9/26/2008

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

That part of Lot 1 lying West of the East 106 feet, and that part of the North 22 feet lying West of the East 106 feet of Lot 2, Block 9, and the front or Easterly 66 feet of the Northerly 36 feet of Lot 1, Block 9 and the front or Easterly 66 feet of the Northerly 36 feet of Lot 1, Block 9 and the front or Easterly 66 feet of the Northerly 36 feet of Lot 1, Block 9 and the front or Easterly 66 feet of the Northerly 36 feet of Lot 1, Block 9, and the South 36 feet of Lot 2, Block 9 and the North 43.5' of Lot 3, Gale's 1st Addition to Minneapolis, Hennepin County, Minnesota. (1511 25th Street E, 2500, 2504, 2508, 2510 Bloomington Ave - Plate 21) to the C2 District.

Section 2. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

That part of the South 14.5' of Lot 3 and the North Half of Lot 4, Block 9, the South Half of Lot 4 and the North 14½ feet of Lot 5, Block 9 and the South 43.5 feet of Lot 5, Block 9, Gale's 1st Addition to Minneapolis, Hennepin County, Minnesota. (2514, 2518, 2520 Bloomington Ave - Plate 21) to add the TP Overlay District to the underlying R2B district.

Adopted 9/26/2008.

Absent - Glidden.

Z&P - Your Committee recommends passage of the accompanying resolution amending Resolution No. 94R-165 entitled "Vacating 37th St E between 29th Ave S and the Hiawatha Corridor (#1130e)," passed June 17, 1994, to correct the legal description.

Adopted 9/26/2008.

Absent - Glidden.

Resolution 2008R-430, amending Resolution No. 94R-165 entitled "Vacating 37th St E between 29th Ave S and the Hiawatha Corridor (#1130e)," passed June 17, 1994, was adopted 9/26/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-430 By Schiff

Amending Resolution 94R-165 entitled "Vacating 37th St E between 29th Ave S and the Hiawatha Corridor (#1130e)," passed June 17, 1994.

Resolved by The City Council of The City of Minneapolis:

That the above entitled resolution be amended to correct the legal description to include the following:

That part of 37th Street East, dedicated in the plat of Palmer's Addition to Minneapolis, according to the recorded plat thereof on file, Hennepin County, Minnesota, lying south and west of the following described line:

Commencing at the southeast corner of Lot 15, Block 16, said Palmer's Addition to Minneapolis, thence easterly along the south block line of Block 17, said Addition, on an assumed azimuth of 89 degrees 44 minutes 28 seconds a distance of 417.51 feet to the point of beginning of the line to be described; thence northwesterly on an azimuth of 334 degrees, 25 minutes, 49 seconds a distance of 692.67 feet and there terminating.

And, lying east and north of the following described line:

Commencing at the southwest corner of Lot 1, Block 1, Luesse Third Addition, formerly known as the southwest corner of Block 15, Palmer's Addition to Minneapolis; thence easterly along a south line of said Lot 1 to a tangential curve concave to the southwest; thence southerly along said curve to the intersection with the most southerly line of said Lot 1, said intersection being the point of beginning of the line to be described; thence continuing along the extension of said curve to the north line of Block 17, said Palmer's Addition to Minneapolis or the westerly extension of said north line.

is hereby vacated except that such vacation shall not affect the existing easement rights and authority of the City of Minneapolis, their successors and assigns, to enter upon that portion of the aforedescribed alley which is described in regard to each of said corporation(s) as follows, to wit:

As to the City of Minneapolis, a storm drain easement over all of the to-be-vacated E 37th St;

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said easement upon or within the above-described areas without first obtaining the written approval of the corporation(s) having utility facilities located within the area involved authorizing them to do so.

Adopted 9/26/2008.

Absent - Glidden.

UNFINISHED BUSINESS

Pursuant to notice, Schiff moved to introduce the subject matter of an ordinance amending Title 21 of the Minneapolis Code of Ordinances relating to Interim Ordinances, for first reading and referral to the Zoning & Planning Committee (adding a new Chapter 586 providing for a moratorium on the establishment, re-establishment or expansion of reception, banquet, rental and/or meeting halls outside of the B4, B4S and B4C zoning district).

Adopted upon a voice vote 9/26/2008.

Absent - Glidden.

Schiff moved to introduce the subject matter of ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to the Zoning Code, for first reading and referral to the Zoning & Planning Committee (to amend regulations pertaining to on-premise signs), as follows:

Amending Chapter 520 related to Zoning Code: Introductory Provisions;

Amending Chapter 525 related to Zoning Code: Administration and Enforcement; Amending Chapter 531 related to Zoning Code: Nonconforming Uses and Structures; Amending Chapter 535 related to Zoning Code: Regulations of General Applicability;

Amending Chapter 543 related to Zoning Code: On-Premise Signs; & Amending Chapter 551 related to Zoning Code: Overlay Districts.

Adopted by unanimous consent 9/26/2008.

Schiff moved to introduce the subject matter of an ordinance amending Title 5 of the Minneapolis Code of Ordinances relating to the Building Code, for first reading and referral to the Zoning & Planning Committee (to amend regulations pertaining to on-premise signs), as follows:

Amending Chapter 95 related to Building Code: Projections and Encroachments; &

Amending Chapter 109 related to Building Code: Signs and Billboards.

Adopted by unanimous consent 9/26/2008.

Absent - Glidden.

Schiff moved to introduce the subject matter of an ordinance amending Title 21 of the Minneapolis Code of Ordinances relating to Interim Ordinances, for first reading and referral to the Zoning & Planning Committee (adding a new Chapter 587 providing for a moratorium on the establishment, reestablishment or expansion of principal parking facilities in the area bounded by Chicago Avenue on the west, the Midtown Greenway/Hennepin County Regional Railroad Authority (HCRRA) right-of-way to the north, 31st Street East to the south, and Hiawatha Avenue to the east).

Adopted by unanimous consent 9/26/2008.

Absent - Glidden.

Lilligren moved to adjourn. Seconded. Adopted upon a voice vote 9/26/2008. Absent - Glidden.

> Steven J. Ristuben, City Clerk.

Unofficial Posting: 10/1/2008 Official Posting: 10/3/2008

Correction: 10/16/2008; 12/10/2008